

26.11.2025
Item No.21
Court No.11
Avijit Mitra

**MAT 2048 of 2025
with
IA No.CAN 1 of 2025**

**Shri Ramkrishna Institute of Medical
Sciences & Sanaka Hospitals
- versus -
Rishiraj Das & ors.**

Mr. Joydip Kar, Sr. Adv.,
Mr. Srijib Chakraborty,
Mr. Aditya Mondal,
Ms. Rupsa Sreemani
...for the appellant
Mr. Swapan Dutta, Ld. G.P,
Mr. Dipankar Dasgupta,
Mr. Abhishek Chakraborty
...for the State
Mr. Sunit Kumar Roy
....for the National Medical Commission
Mr. Sirsanyo Bandopadhyay,
Sr. Standing Counsel
Mr. Arka Kumar Nag,
Ms. Debaleena Ghosh
....for the WBMCC
Mr. Subhabrata Dutta,
Mr. Debashis Sarkar,
Mr. Mihir Saha,
Mr. Aranya Saha
....for the respondent no.1
Mr. D.N. Maiti,
Mr. A. Santra
....for the respondent nos.6&7

Affidavit-of-service, as filed, be kept on record.

The present appeal has been preferred by Shri Ramkrishna Institute of Medical Sciences & Sanaka Hospitals (hereinafter referred to as the said hospital) challenging an order dated 20th November, 2025 passed by the learned single Judge in the writ petition

being WPA 25457 of 2025. By the said order, the learned single Judge, *inter alia*, directed the respondent nos.3 and 8 in the writ petition to complete the provisional admission of the writ petitioner '*subject to production of a fresh bond within the scheduled time today*'.

Mr. Kar, learned senior advocate appearing for the appellant submits that the bond which was produced by the writ petitioner at the time of hearing of the writ petition on 12th November, 2025 was a forged document, as would be explicit from the documents annexed at pages 102 and 103 of the stay application. Having produced such forged document, the writ petitioner could not have claimed any equity and the learned Judge erred in law in exercising discretion in favour of the writ petitioner.

He submits that the learned single Judge erred in law in directing admission beyond the mandatory period specified for such admission on and from 6th November, 2025 to 8th November, 2025 till 4.00 p.m.

Mr. Dutta, learned advocate appearing for the writ petitioner/respondent no.1 denies and disputes the contention of Mr. Kar and submits that there is no infirmity in the order impugned inasmuch as the learned single Judge has categorically made it clear that the provisional admission, as directed, would be subject to the outcome of the investigation in Alipore

Police Station Case No.148 dated 20th November, 2025.

In reply, Mr. Kar submits that the bond which was furnished by the writ petitioner pursuant to the order dated 20th November, 2025 was also not in form and in consonance with the directions contained in the order.

Answering our query, Mr. Maiti, learned advocate appearing for the University submits that the counselling process had already been completed.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

By the impugned order, the learned single Judge had directed the admission of the writ petitioner subject to final outcome of the criminal proceedings. Pursuant to such direction, the writ petitioner produced a fresh bond before the appellant and he was granted provisional admission. It thus appears that the order has been acted upon. Furthermore, the records would reveal that the writ petition has been made returnable tomorrow i.e., on 27th November, 2025 under the heading '*To Be Mentioned*'.

In the said conspectus, we are not inclined to interfere with the order impugned and accordingly, the appeal along with the connected application is dismissed.

It is, however, made clear that the dismissal of the appeal shall not prevent the appellant to advance the arguments before the learned single Judge on merits and on the issues urged before us.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)