

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 31035 of 2024

**Santosh Chaurasia & Ors.
-versus
State of West Bengal & Anr.**

**Mr. Naba Kumar Das.
Mr. Arindam Banerjee.
...For the Petitioners.**

**Mr. Swapan Banerjee. Ld. AGP
Mr. Soumen Chatterjee.
... For the State.**

1. Affidavit-of-service filed today in Court be kept with the records.
2. The petitioners claim to be Ayush Practitioners. They intend to take the advantage of the notification dated 23rd August, 2022 published by the Department of Health and Family Welfare, Family Welfare Branch, Government of West Bengal.
3. Precise submission of the petitioners is that they seek right to issue the fit and the unfit certificate and the birth and death certificate.
4. Learned advocate representing the State respondents denies the claim of the petitioners that they are Ayush practitioners. It has been submitted that the petitioners are DYNS and not Ayush practitioners.
5. Whether the Ayush practitioners are legally eligible to issue such type of certificates is to be decided.
6. At this stage without entering into the issue, leave is granted to the petitioners to make a formal

application before the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal highlighting their grievances.

7. In the event such a representation is made before the Principal Secretary along with supporting documents, the same shall be considered by the said authority in accordance with the prevailing rules, guidelines and notifications at the earliest but positively within a period of six weeks from the date of making the representation. A reasoned order shall be passed and communicated to the parties immediately thereafter.
8. As the writ petition is being disposed of without calling for any affidavits, the allegations made in the writ petition are deemed not to have been admitted by the respondents.
9. The writ petitions stands disposed of.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)