

25.10.2021

serial no. **01**

Dd/srimanta

(Through Video Conference)

WPA (P) 286 of 2021

Sri Nand Lal Tewari

Vs.

The State of West Bengal & Ors.

Mr. Suman Sengupta,
Mr. Sumitava Chakraborty, Advocates
... ... for the Petitioner

Mr. S. N. Mookherjee, Ld. Advocate General
Mr. Tapan Kr. Mukherjee, Id. AGP
Mr. Pranab Halder,
Ms. Saheli Mukherjee, advocates
... ... for the State

Mr. Amal Kr. Sen, Id. AGP
Mr. Lal Mohan Basu,
.. ...For the respondent nos. 2 and 3

Mr. Surya Prasad Chattopadhyay, advocate
.. ...for the respondent no. 8

The Public Interest Litigation was taken up in the morning when finding the respondent no. 8 not to be represented a request was made to the learned Advocate General to ensure that the respondent no. 8 is represented in Court.

Pursuant to such request, the respondent no. 8 is represented.

The respective parties make elaborate submissions. Learned advocate appearing for the petitioner submits that by reasons of the agitation by a section of the interns and the students the medical services to the public at the R.G. Kar Medical College and Hospital stand affected. He

requests the Court to put in measures so as to tide over the impasse.

Learned Advocate General appearing for the State submits that there are issues with regard to ingress and egress of the medical staff and the public in general at the Hospital. The agitations are being carried on in such a manner that it impedes the medical facilities at the Hospital, and that the agitations are affecting the public interest.

Learned advocate appearing for the respondent no. 8 draws the attention of the Court to a writing dated October 23, 2021. He submits that the respondent no. 8 will adhere by such writing. He submits that representatives of his client may be allowed to meet the Health Secretary in order to discuss the impasse.

Learned Advocate General does not object to the representatives of the respondent no. 8 meeting the Health Secretary to discuss the impasse.

Consequently, it would be appropriate to request the Health Secretary to meet the representatives of the respondent no. 8, not exceeding six in number on October 29, 2021 at 11.00 AM at the office of the Health Secretary. The Health Secretary is at liberty to hear such other parties that he deems appropriate. We hope and trust that the respondent no. 8 abides by the writing dated October 23, 2021. In addition thereto, we hope and trust that the respondent no. 8 will not take any measure so as to disrupt the medical facilities at the R.G. Kar Medical College and Hospital and maintain the sanctity of the silent zone at the Hospital and the Medical College.

It is clarified that the right to protest by the respondent no. 8 peacefully is not curtailed by this order.

List the writ petition on **November 2, 2021** before the appropriate Bench.

(Debangsu Basak, J.)

(Rabindranath Samanta, J.)