
(2025) 01 CAL CK 0087
Calcutta High Court (Appellate Side)
Case No: WPA(P) No. 504 Of 2024

Chandan Kumar Bisowi And Ors

APPELLANT

Vs

State Of West Bengal And Ors

RESPONDENT

Date of Decision: Jan. 30, 2025

Hon'ble Judges: T.S. Sivagnanam, CJ; Hiranmay Bhattacharyya, J

Bench: Division Bench

Advocate: Saibal Kumar Acharyya, Pradip Paul, Renesa Dey, Ritesh Kr. Ganguly

Final Decision: Disposed Of

Judgement

1. The petitioners seek for a direction upon the appropriate respondent to upgrade a Gram Panchayat Dispensary into a Gram Panchayat Level Smart Health Clinic and bring it under a single umbrella i.e. Administration of Health and Family Welfare Department.

2. Essentially, the matter is a policy decision to be taken by the State Government and, therefore, the court cannot direct the authorities to take a policy decision in the particular manner.

3. However, it appears that there is a mass petition given to the authorities which is annexed as Annexure P-5 in the writ petition which was sent by speed post on 20th September, 2024.

4. The learned advocate appearing for the respondent submitted that he does not have any written instructions from the respondents and also would question the maintainability of the writ petition.

5. Be that as it may, since there appears to be a mass petition sent by speed post on 20th September, 2024, we direct the appropriate authority of the Government, in the instant case, we find the 5th respondent to be the appropriate authority, who will be able to assess the entire situation and submit appropriate report either to the District Magistrate or to the Director of Panchayat, as the case may be.

6. Therefore, we direct the 5th respondent, namely, the Additional District Magistrate & AEO, Paschim Medinipur Zilla Parishad to consider the mass petition sent by speed dated 20th September, 2024, conduct an inspection and make necessary proposal to the appropriate authority.

7. Let copy of such proposal be communicated to the writ petitioners.

8. The petitioners shall appear in the office of the 5th respondent and submit a copy of the mass petition along with other enclosures as well as a copy of this order to enable the 5th respondent to comply with the direction.

9. The above direction be complied with within a period of four weeks from the date on which the petition is filed.

10. Accordingly, the matter stands disposed of.