

22.01.2026
Item No.12
Ct. No.1
PG

WPA (P) 220 of 2022

**Sanjit Jana
Versus
The State of West Bengal & Ors.**

Mr. Soumen Bhattacharjee
Mr. Ankan Das
Ms. Suradhya Ghosh
Mr. Raunak Seal.....for the petitioner

Mr. Swapan Kr. Dutta, Ld. GP
Mr. Nilotpal Chatterjee.....for the State

Mr. Saibalendu Bhowmick
Mr. Raja Sekhar Basu
.....for the respondent no. 4

PER, SUJOY PAUL, CJ.:

1. Parties are represented through their respective learned counsel.
2. Learned counsel for the petitioner submits that the basic reason for filing this petition is to seek a direction from this Court to the State to ensure that all public hospitals and private hospitals and nursing homes in the State of West Bengal display bed availability information in their websites and also in display boards in entrants of hospitals and nursing homes. In addition, it is prayed that

benefit of Swasthya Sathi Card should be given to the patients and monitoring be done.

3. Learned counsel for petitioner by placing reliance on the order dated 08.01.2026 passed in **W.P.(C) 3903 of 2017, CM APPLs. 18718/2017, 19134/2017 & 27526/2018 (Court on its Own Motion through Mr. Ashok Agarwal vs. Union of India & Ors.)** passed by Delhi High Court urged that in Delhi, similar question cropped up before the Delhi High Court, wherein petitioner prayed that a real time availability of bed should be available on the website so that patients can save time and take the critical patients to hospital with quite promptitude.
4. Sri Chatterjee, learned counsel for the State placed reliance on his status report filed by respondent no. 1 on affidavit. Reliance is placed on paragraph 3, which is relevant for the present. The said paragraph reads thus:

“3. That, from the report submitted by the Additional Secretary, Swasthya Sathi Samiti, Department of Health & Family Welfare demonstrates that-

a. Though, Real time hospital bed availability is not yet available to the public through a single national or global system to adopt and replicate, however, the feasibility of arrangement of real-time information about availability of beds in the Hospitals under Swasthya Sathi Scheme has been explored. Discussions were held with the Stakeholders and the following provisions have been made available in the public domain:-

i. Patient party can know about the facilities available in the Hospital, contact number and Doctors available in the Hospital from the web-site. Thus, the patient party can choose and fix appointment with preferred Doctors, enquire about availability of bed in the Hospital.

ii. An android based mobile app is also available in public domain with facilities like- list of active hospitals, Doctors' details, speciality facility available in a particular hospital and many other features, along with the hospital contact number. Using the app one can search nearby Hospitals from their current geo-coordinates during emergency and can dial the Hospital by one-touch clicking the icon.

iii. A further development of the web-site is under trial in which information like total bed capacity, total patients admitted under Swasthya Sathi and Bed availability status of that particular Hospital could be seen. The patient party will need to contact Hospital for category-wise bed availability, since it is a dynamic process which needs real time update, availability of a particular category of bed required in operational

state, as per the medical advice. Further, it is submitted that Swasthya Sathi packages are fixed on bed rent at Departments/Wards, and not for Private/Semi-private Facility.

iv. There exists a 24 hours Call Centre to address any issue in connection with Swasthya Sathi related admission and treatment. Total number of Call Centre line is 60 and average numbers of approximately 1200 calls are responded daily.

v. A general advisory is issued to all Swasthya Sathi empanelled Hospitals to take initial care and stabilization through emergency observation ward, if admission of any beneficiary cannot be ensured due to unavailability of required bed and infrastructure.

A Photostat copy of the updated status report of the Swasthya Sathi Samiti under the Department of Health and Family Welfare is annexed herewith and marked as Annexure –“R/1”.

5. The grievance portrayed in this matter, in our considered opinion, falls within the ambit of public interest. It is a matter of common knowledge that a critical patient must be taken to the hospital at the earliest. If availability of bed is known to the persons assisting such hospital or ambulance driver, the precious time can be saved. If bed availability position is not known, there are cases, where critical

patients are taken from one hospital to another for treatment and during that period his condition becomes more critical or he dies. Thus, the grievance shown is really in great public interest.

6. The digital facility/technology must be used in the interest of the public. The technology must be used to prepare digital platform, where any citizen can get information about availability of vacant beds in the hospitals.
7. At present, we deem it proper to issue following directions:
 - (i) The State shall prepare digital platform/website, which shall include all Government hospitals whether or not they are covered by Swasthya Sathi Yojana.
 - (ii) The website shall provide real time vacant position of beds in each of the Government hospitals.
8. We expect that such a site shall be prepared within 30 days from today.

9. Thus, let a status report be filed on or before the next date of hearing.
10. So far other hospitals are concerned, we will look into this aspect on the next date of hearing.
11. List the matter on 05.03.2026.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)