

14.12.2022
Sl.No.1
Ct.19
sn

WPA 25079 of 2022

**Monijan Bibi Molla
Vs.
The State of West Bengal & Ors.**

**Mr. Pankaj Halder
Mr. Sanatan Panja
Mr. Tapas Manna
..for the petitioner**

**Ms. Sipra Majumder
Ms. Sangeeta Roy
..for the State**

The petitioner is the leader of a self-help group. Such self-help groups operate cheap canteen from the compound of rural hospitals. Accordingly, the petitioner applied for permission to open and run a cheap canteen inside Mathurapur Rural Hospital compound. It is alleged that a list was prepared. The Janaswastha-O- Paribesh Sthayee Samity, Mathurapur-I Panchayat Samity approved the list in its meeting dated July 8, 2019, but no formal order had been passed. Aggrieved, the writ petition has been filed.

The petitioner approached several authorities with such prayer but the authorities remained silent.

The writ petition is disposed of without going into the merits of the eligibility of the petitioner.

The Block Medical Officer of Health, Mathurapur Rural Hospital, shall consider the matter and refer the same to the competent authority for a final decision.

The appropriate committee shall thereafter decide the issue and pass necessary orders. The petitioner may be allowed to appear before the authorities concerned, if certain clarifications are required.

A reasoned order shall be passed and communicated. The decision if any, taken by the Janaswastha-O- Paribesh Sthayee Samity dated July 8, 2019 shall be considered. If there are cogent reasons for not granting such permission to the petitioner, the reasons shall be disclosed. If the prayer of the petitioner can be allowed in accordance with the law, necessary steps shall be taken.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)