

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 38461 of 2023

Rasa @ Rasananda Bhoi

..... *Petitioner*
Mr. P.K. Nayak, Adv.

-Versus-

State of Odisha & Ors.

..... *Opposite Parties*
Mr. G.R. Mohapatra, ASC

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER
04.01.2024

Order No.

03.

1. This matter is taken up through hybrid arrangement.
2. In this Writ Petition, the Petitioner seeks for a direction from this Court to the Opposite Party Nos.2 and 3 to consider the representation dated 18.10.2021 and 25.09.2023 filed by him for granting ex-gratia assistance, as his elder son Souvagya Ranjan Bhoi has died due to snake biting.
3. In compliance of the order dated 06.12.2023 Dr. Biswaranjan Pati, who has conducted the postmortem report is present through Virtual Mode and rendered his opinion in the format prescribed. The said opinion was written under the head "MORE DETAILED DESCRIPTION OF INJURY OR DISEASE". Under such head, he has written something which

is not legible and cannot be comprehended in ordinary course of reading unless the writer himself or handwriting expert is invited to examine such description.

4. In many cases, the casual approach of most of the doctors while writing the postmortem report is affecting the comprehension medico-legal documents badly and the judicial system finds it very difficult to read those letters and come to a definite conclusion.

5. Hence, this Court directs the Chief Secretary, State of Odisha to issue direction to all the doctors of the State to write the postmortem report and prescription in capital letter or in legible handwriting. Moreover, the tendency of writing such zig zag handwriting, which cannot be read by any common man or by judicial officers, has become a fashion among the doctors of the State. Substantial number of doctors in the State resort to such handwriting which cannot be read by any ordinary person. In such view of the matter, the Chief Secretary of the State is directed to issue a circular to all the Medical Centers, Private Clinics and Medical Colleges and Hospitals directing them to write in proper handwriting or in a typed form when they are prescribing medicine or writing some medico-legal reports.

6. This Court is also aware of the fact that the duty schedule of medical professionals are very busy and taxing and finding time to write something comfortably often hinders their capacity to examine more and more patients within the stipulated time. This Court appreciates the services rendered by the medical professional during the COVID-19 period or during any kind of emergency situation. But, at the same time it is generally felt that the medical prescription and medico-legal documents are written in bad handwriting which affects the quality of appreciation of evidence in the judicial system. Hence, it is expected that any doctors, who are dealing with medico-legal issues and writing casually with very poor handwriting, are required to change their attitude and write either in capital letter or in a typed form or in good handwriting so that the judicial system does not suffer from unnecessary fatigue in reading their handwriting.

7. Considering the facts of the present case and as per the postmortem report as read out by Dr. Pati appearing through Virtual Mode, this Court is of the view that it is a case of snake biting. Accordingly, the Petitioner is directed to approach the concerned Tahasildar by way of filling of a form prescribed for that and seek the compensation from the appropriate authority. The said application be submitted

within a period of one month from today and the Authority shall consider and dispose of the same in accordance with law within a period of one month from the date of receipt of the said application.

8. Accordingly, the Writ Petition is disposed of.

9. Personal appearance of Dr. Biswaranjan Pati is dispensed with.

10. A free copy of this order be given to the learned counsel for the State.

