

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.47 of 2015

In
Civil Writ Jurisdiction Case No. 8711 of 2013

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1. The Bihar State Power Holding Co.Ltd. through its Chairman-cum-Managing Director, Vidyut Bhawan, Patna.
 2. The Chairman-cum-Managing Director, the Bihar State Power Holding Co. Ltd., Vidyut Bhawan, Patna.
 3. The Secretary, Bihar State Power Holding Co.Ltd., Vidyut Bhawan, Patna.
 4. The Joint Secretary, B.S.E.B., Vidyut Bhawan, Patna
 5. The Additional Secretary, B.S.E.B., Vidyut Bhawan, Patna
 6. The General Manger-cum-Chief Engineer, Central Bihar Area Electricity Board, Patna.
 7. The Deputy Director of Accounts Central, Bihar Area, Electricity Board, Patna.
 8. The Electrical Executive Engineer, Electric Supply Division, Bihta.
 9. The Assistant Electrical Engineer, Electric Supply Sub-Division, Bikram, District-Patna.

.... Petitioner/s

Versus

Rajnath Singh son of late Jag Narayan Singh, resident of village –
Nirakhapur, PO and PS –Paliganj, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajey Kumar, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-08-2015 Heard learned counsel for the petitioners and learned
counsel for the respondent.

Delay of 11 days is condoned.

The Electricity Board has filed this application for
review of the order dated 8th January 2015.

This Court, while disposing of CWJC No.8711/2013,

has passed the following order:-

“This Court is of the view that there is no laches on the part of the petitioner and he should not suffer for the laches or negligence committed by the Executive Engineer.

In this view of the matter, this Court directs the respondent to examine the bills submitted by the petitioner and after proper verification the same, should be paid rest amount without unnecessary delay, preferably within a period of six weeks from the date of receipt/production of a copy of this order.”

The counsel for the Board submits that Raj Nath Singh is entitled to medical bill in terms of Bihar Electricity State Board Notification no. 788 dated 6th August 2001 whereby and whereunder it has been provided in what manner medical bill of its employee will be reimbursed and particularly referred to sub-clause (c) of clause-11 of the Circular. It will be appropriate to quote sub-clause (c) of clause-11, is as follows:-

“For treatment outside the State prior permission of the Medical Committee is essential. Permission will be given for treatment outside the



State only in AIIMS, CMCH Vellore, Shankar Netralya Madras, Aligarh, PGI Chandigarh, SGPGI Lucknow & TMH Bombay, Escort Hospital, New Delhi. However in case of specialized treatment for the employee of life threatening diseases like cancer, heart diseases necessitating surgery, kidney or liver transplantation at the medical institution of their choice within/outside the State that are not in the approved list of the Board, but with the prior permission of Medical Committee, the medical reimbursement will be admissible at par with AIIMS.”

This Court has not given direction that the payment should be made, dehors to the Circular but certainly the petitioner is entitled to the payment of medical bill.

The counsel for the employee-opposite party submits, only Rs.64,877/- has been paid to the petitioner claiming medical bill in terms of the rate prescribed in AIIMS.

This Court is not examining whether the petitioner has been paid the medical bill in terms of the rate of AIIMS or it is less. However, the authority concerned will examine the medical bill of the petitioner in terms of its own Circular and if any extra

amount which the petitioner is entitled that must be paid to him within a period of four weeks from the date of receipt/production of a copy of this order. While deciding the entitlement, petitioner no. 2, Chairman-cum-Managing Director of the Bihar State Power Holding Co. Ltd. will also provide the break up of the amount which the petitioner is entitled.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

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