

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.4725 of 2015**

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Bihar Seva Sansthan Through Its Secretary Dr. Saurabh Suman Wife of Sri Rajendra kumar Prasad , Office - Sewa Nagar, P.O. - Gonawan, District- Nawada.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health and Family Welfare Department , Bihar Patna.
2. The District Magistrate-cum-Chairman , District Health Committee, Nawada , District - Nawada,.
3. The Civil Surgeon-cum-Secretary, District Health Committee, Nawada Sadar Hospital Premises Nawada, District- Nawada.

.... .... Respondents

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**Appearance :**

For the Petitioner : M/s Shiya Ram Shahi, Sunil Kumar Sharma and Gopal Bohra, petitioners

For the State : Mr. Arun Kumar Prasad, AC to SC VII

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

ORAL JUDGMENT

**Date: 12-05-2015**

Heard learned counsel for the petitioner and the State.

Through this writ application the petitioner seeks following reliefs:

“(i) For issuance of appropriate writ/writs commanding and directing the Respondents to make payment of the bill of the petitioner amounting to Rs. 3,48,300/- alongwith interest thereon from the date of submission of bill till payment against the executed assigned work to organize / conduct Medical Health Checkup camps of the students of Middle Schools in allotted six blocks of Nawada District in terms of executed Contract.

(ii) For any other relief or reliefs for which the petitioner would be found entitled under the facts and circumstances of the case.”



It is submitted on behalf of the petitioner that the District Health Society headed by District Magistrate, Nawada, published a notice inviting bid from registered Non-Government Organizations capable to organize / conduct Health Checkup camps in the Middle School of Nawada District on the terms and conditions described in the notice. The petitioner, in response to the NIT, submitted his bid and was allotted the work of medical checkup of the students in the Middle Schools of Warsaliganj, Hisua, Narhat, Nawada, Akbarpur and Nardiganj blocks. The work order was issued vide Annexure 2. The petitioner was directed to commence the work within seven days from the date of receipt of the letter. The petitioner further claims that a formal contract was executed between the respondent no. 3 the Civil Surgeon – cum – Secretary of the District Health Society and the petitioner.

Petitioner further claims that it organized the health checkup camps in the Middle Schools situated in the allotted blocks with prior information and on concurrence of respondent no. 3 and had completed the work and submitted bill for a sum of Rs. 3,48,300/- for organizing altogether 129 health checkup camps in the aforesaid blocks of the Nawada district.

However, despite several reminders / representations filed by the petitioner to all concerned including the District

Magistrate who happens to be the Chairman of the Society, payment has not been made as yet. Petitioner also claims that even the District Magistrate has directed the Civil Surgeon to make payment and the Civil Surgeon in response thereof has issued Annexure 8 dated 15.2.2010 directing the petitioner to furnish the requisite document which he claims to have submitted, however, even then no payment has been made.

In the aforesaid background of the matter this Court is inclined to dispose of this writ application directing the respondent no. 2, the District Magistrate – cum – Chairman, District Health Society, Nawada to examine the matter and ensure payment of the admitted dues, if any, to the petitioner expeditiously preferably within a period of six weeks from the date of receipt / production of a certified copy of this order. However, if after examining the same he comes to the conclusion that no amount is required to be paid to the petitioner then a reasoned order should be passed by him and that should be communicated to the petitioner immediately so that it would be able to assail the same before a competent forum.

**(Dr. Ravi Ranjan, J)**

Spd/-

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