

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8301 of 2015

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Most. Sohila Kuwar @ Suhila Kunwar, Wife of Late Rajkishore Yadav @
Rajkishore Rai, resident of Village- Nawada, Post- Nawada, P.S.-
Baniyapur, District- Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar,
Patna.
2. The Principal Secretary, Department of Health, Government of Bihar,
Patna.
3. The District Magistrate, Patna.
4. The District Magistrate, Saran.
5. The Chief Medical Officer-cum- Civil Surgeon, Patna.
6. The Chief Medical Officer -cum- Civil Surgeon, Saran.
7. The Superintendent, Patna Medical College Hospital, Patna.
8. The Superintendent, Sadar Hospital, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj

For the Respondent/s : Mr. Patanjali Risi, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 06-07-2015 A supplementary counter affidavit has been filed
today. Let it be kept on record.

Counsel for the parties are present.

This matter was heard during summer recess on
28.5.2015 when a Bench of this Court considering the
predicament of the petitioner directed the Superintendent, Patna
Medical College and Hospital (hereinafter referred to as 'the
PMCH') to confirm the medical status of the petitioner to
determine whether she would require to undergo any operation.
By the same order it was also directed that the cost of treatment

and investigation be met by the State, considering the economic status of the petitioner.

The petitioner complained that the order was not being complied with when this matter was taken on 23.06.2015 and thus the Superintendent, PMCH was directed to respond to the allegation.

The Superintendent, PMCH appeared in person on 30.6.2015 and gave an undertaking to comply with the directions of this Court in its entirety.

A counter affidavit was filed on 30.6.2015 enclosing a report of the Medical Board so constituted by the Superintendent, PMCH and a supplementary counter affidavit has been filed today. The statements made at paragraph 8 of the counter affidavit and paragraphs 11 and 12 of the supplementary counter affidavit filed today reflects that the petitioner is not required to undergo any surgery and as per the report of the Medical Board, she is in need of conservative management of the ailment. The Superintendent, PMCH has further stated in paragraph 12 of the Supplementary counter affidavit that the treatment of the petitioner would be at the cost of the State and she would not be made to bear any expenses.

Mr. Pankaj, learned counsel appearing for the

petitioner admits that the petitioner is being taken care of and has also to undergo some procedure today. He also admits about the reimbursement of the expenses.

In the circumstances that the Superintendent, PMCH has undertaken the exercise in terms of the order of this Court and the treatment has started with assurance of the Superintendent, PMCH that the petitioner shall not be subjected to any treatment cost, this Court does not deem it necessary to keep this matter pending and which is accordingly disposed of.

Needless to add that the treatment so initiated under the orders of this Court should continue uninterruptedly at the cost of the State without causing any harassment to the petitioner.

(Jyoti Saran, J)

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