

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10724 of 2011

=====

Centre for Health and Resource Management through its Executive Director

.... Petitioner

Versus

1. Union of India through the Secretary, Ministry of Health and Family Welfare, Govt. of India, Bihar
2. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
3. The Secretary, Department of Health and Family Welfare, Patna, Bihar
4. Sadar District Hospital through the Medical Superintendent, Munger
5. Tarapur Referral Community Health Centre through the Medical Superintendent Munger
6. Kharagure Primary Health Centre through the Medical Superintendent, Munger
7. Aritki Swastick Sub Centre through the Medical Superintendent, Munger
8. Sadar District Hospital Through The Medical Superintendent Munger
9. Tarapur Referral Community Health Centre, through the Medical Superintendent, Munger
10. Civil Surgeon-Cum-Chief Medical Officer, District-Munger

.... Respondents

=====

Appearance :

For the Petitioner :

For the Respondents : Mr. Devendra Kr Sinha, Sr. Adv., AAG 2
Mr. Alok Kr. Rahi, AC to AAG 2
Mr. Sanjay Kumar, Adv. (Union of India)
Mr. Ravindra Kr. Sharma, Adv. (C.G.C.)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-02-2015

The petitioner is a Non-Governmental Organization. It has filed the writ petition by way of a Public Interest Litigation, with a prayer to direct the respondents to immediately upgrade or conduct health facilities in the District of Munger, consistent with the National Rural Health Mission's (in short N.R.H.M.) and International



Covenant on Economic Social and Cultural Rights (I.C.E.S.C.R.), standards with priority to Sadar District Hospital and Tarapur Referral Hospitals. Another prayer is that an N.G.O. may be appointed to monitor, evaluate and submit monthly progress reports, as to the upgradation of health and medical facilities. The nature of steps to be taken in this behalf are also enlisted in the prayer portion itself.

The petitioner claims that it has been focusing and promoting social, humanitarian, and welfare activities, and that the present writ petition is filed as part of its activities. It is mentioned that on account of non-availability of health facilities in the government run hospitals, the people, particularly those from the poor sections, are undergoing severe hardship.

The writ petition was entertained by this Court. Series of orders were passed directing, various steps, to be taken from time to time. At certain stages, the District Legal Service Authority, as well as, District & Sessions Judge, were directed to monitor the progress and to submit reports. Such reports have since been filed.

The respondents have filed counter affidavits, narrating the steps that have been taken, in compliance

with the directions issued by this Court.

No one appears for the petitioner.

Heard Shri Devendra Kr Sinha, learned AAG 2, learned counsel Mr. Alok Kr. Rahi, Mr. Sanjay Kumar and Mr. Ravindra Kr. Sharma, for the respondents.

We quite appreciate the concern of the petitioner for improvement of health facilities in the government hospitals and the steps taken. On account of the orders passed by this Court from time to time, substantial improvements have taken place. A perusal of the report submitted by the respondents, as well as the District & Sessions Judge, Munger reveals that the hospitals are functioning up to the mark.

Basically, it is the duty of the Government itself to provide adequate health and medical facilities for the public. On noticing that there is some deficiency in this behalf, this Court intervened at the instance of the petitioner, and there is substantial improvement.

It is hoped that the facilities would be maintained at proper level and the services would be extended to the public, without any deficiency and further improvement is made, wherever it is necessary.

The writ petition is accordingly closed.

Interlocutory application, if any, stands disposed
of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Vikash Jain, J)

K.C.jha/-
N.A.F.R.

U			
---	--	--	--