

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8711 of 2013

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Raj Nath Singh Son Of Late Jag Narayan Singh Resident Of Village -
Nirakhpur, P.O. And P.S. Paliganj, District - Patna

.... Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited, through its
Chairman-Cum-Managing Director, Vidyut Bhawan, Patna
2. The Chairman-Cum-Managing Director, the Bihar State Power Holding
Company Limited, Vidyut Bhawan, Patna
3. The Secretary, Bihar State Power Holding Company Limited, Vidyut
Bhawan, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Patna
5. The Additional Secretary, Bihar State Power Holding Company Limited,
Vidyut Bhawan, Patna
6. The General Manager-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

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate,

For the Respondent/s : Mr. Vinay Kirti Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 08-01-2015 Heard learned counsel for the petitioner and learned
counsel for the Bihar State Power Holding Company Ltd.

The petitioner has claimed that his medical expenses
incurred in treatment at Gurgaon of Rs.2,09,691/- has not
been properly reimbursed to him, as he has been paid
Rs.64,877/- only. Petitioner has served the Bihar State
Electricity Board as a Khalashi, while in service he was fallen



ill, he was examined by Doctor's of Board which is apparent from the prescription dated 8.8.2010 and the Board of Doctor's referred the petitioner to the I.G.M.S., PMCH, Patna, there he was examined by the Doctors of I.G.M.S., PMCH, Patna and after proper examination, for his proper treatment, referred him to the hospital at Gurgaon. There the petitioner was treated and thereafter he has submitted the medical bill for reimbursement of the same. He was paid Rs.64,877/- and rest amount of bill was rejected on the ground that before going for his treatment outside the State he had not taken proper permission from the Electricity Board.

Learned counsel for the petitioner has drawn the attention of this Court to the letter dated 22.5.2012 written by the Joint Secretary, Bihar State Electricity Board to the Executive Engineer, Electric Supply Division, Bihta from which it appears that the petitioner filed a proper application for granting his permission for his treatment outside Patna and that was referred by the Assistant Engineer to the Executive Engineer but his application remained there and he had not referred his application to the Board. On that account the application filed by the petitioner did not reach to the Board for its consideration. For default of the respondent the

petitioner can not suffer as because Executive Engineer did not refer the application of the petitioner whereas record shows that he was firstly examined by the Doctors of Board and on his advise he was properly examined by the Doctors of IGMS, PMCH, Patna and from where he was referred to the hospital at Gurgaon.

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.

With the aforesaid observation this writ petition is disposed of.

Vinay/-

(Shivaji Pandey, J)

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