

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.87 of 2009

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Arunima Srivastava, wife of Sri Murli Manohar Lal, resident of village/
Mohalla Visar Talab (New Area), P.S. Civil Lines, District Gaya
..... Petitioner

Versus

1. The State of Bihar through the Commissioner and Secretary,
Department of Health, Bihar, Patna
 2. The District Magistrate cum Chairman, R.N.T.C.P., Gaya
 3. The Civil Surgeon, Gaya
 4. The District Tuberculosis Officer, Gaya (D.T.O.)
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay
Mr. Mithilesh Kr. Upadhyay
For the Respondent/s : Mr. (Sc17)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 13-01-2015 Heard learned counsel for the parties.

When this Court has been informed by the learned counsel
for the respondents as with regard to the following relief prayed in
this writ application:

“ A direction to the respondents to pay the admitted and
other dues of the petitioner with interest arbitrarily
withheld by them despite several representation filed by
the petitioner.”

that no record is available in the office of the respondents to show
supply of material against the work order issued to the father of
the petitioner and that the respondents are still ready to consider
the claim of the petitioner if she produces any proof of supply and
receipt of those material, this writ application for the time being

must be held to be premature, especially when the respondents have lodged a First Information Report against the earlier In-charge, who had allegedly run away with the entire records from which the verification of receipt of the material allegedly supplied by the father of the petitioner could have been made.

In that view of the matter, this Court can only give liberty to the petitioner to approach the respondents by producing proof of supply of material and in case such proof is produced the respondents will be under obligation to consider the case of the petitioner for payment of admitted amount, if any. This exercise, however, must be completed within a period of three months from the date of receipt of this order by the respondents alongwith a copy of the representation filed by the petitioner with necessary proof of supply of material.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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