

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6535 of 2015

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1. Subh Nursing Home through its proprietor Dr. Dharmendra Kumar son of Sri Khushakhar Singh at Desri, P.S.- Hazipur, district- Vaishali.
 2. Manav Arogya Hospital through its proprietor Dr. Shashi Bhushan Kumar son of Yogendra Singh at Mahua, P.S. - Mahua, district- Vaishali
 3. SHARTHI SEVA SADAN through its proprietor Deepak Kumar son of late Nawal Kishore Prasad Singh, GoraulBazar, Goraul, P.S.- Hajipur Sadar, P.O.- Goraul Bazar, District Hajipur Vaishali.
 4. Shavangi Nursing Home through its Proprietor Dr. Smriti Singh wife of Dr. Dharmendra Kumar, Pokhara, Mohalla- Subhash Chak, P.S.- Hajipur, Vaishali.

.... Petitioners

Versus

1. The Union of India through the Secretary, Ministry of Labour and Employment, Govt. of India, New Delhi.
2. The Under Secretary, Ministry of Labour and Employment, Govt. of India, New Delhi.
3. The Principal Secretary Department of Health, Govt. of Bihar, Patna.
4. The Executive Director, Rastriya Swasthya Bima Yojana, Bihar, Patna.
5. The Commissioner, Muzaffarpur Division. Muzaffarpur
6. The District Magistrate, Vaishali.
7. The Civil Surgeon, Vaishali.
8. The ICICI Lombard through its State Head, Bihar, Patna.
9. The Apollo Health Insurance Company Ltd, Munich at LABS Centre, 2nd and 3rd Floor, Flat no. 404, 405 Udyog Vihar Phase IIIrd Gurgaon, 122016, Haryana
10. The State Head Apollo Health Insurance Company Ltd. Bihar, Patna.

.... Respondents

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Appearance:

For the Petitioners : Mr. Sanjeet Kumar Singh, Advocate
Mr. Ravindra Kumar, Advocate
Mr. Rajesh Kumr, Advocate

For the Respondents: Mr. Subodh Kumar Mishra, AC to GP7.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-09-2015

Heard learned counsel for the petitioners and learned Counsel for the State.

2. This writ petition has been filed seeking a direction to the Respondent authorities to make payment of the admitted dues in terms of

their bills for Rs. 89,250/-, Rs. 1,25,250/-, Rs. 4,35,500/- and Rs. 1,22,125/- respectively in respect of medical treatment and facilities provided by them under the Rashtriya Swasthya Bima Yojna.

3. It is submitted on behalf of the petitioners that the said amount constitute admitted dues as evident from the minutes of the meeting of the District Grievance Redressal Cell presided over by the District Magistrate-cum-Chairman in its memo No. 1867 dated 08.12.2014 (Annexure-4).

4. In view of the nature of the grievance of the petitioners, this writ petition is disposed of with consent of the parties, granting liberty to the petitioners to approach the Respondent authorities with a fresh representation, who will examine the matter and take steps for payment of the outstanding amount of the admitted dues of the petitioners within a period of four weeks from the date of receipt/production of a copy of this order. If the outstanding amount is admitted but not paid to the petitioners within the said period, then they would be entitled for simple interest at the rate of 10% per annum to be calculated from the date it became due till the date of its final payment. It is further clarified that if the remaining claim of the petitioners is not found admitted, then they should be communicated the reasons for reaching such conclusion.

(Vikash Jain, J)

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