

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.791 of 2013

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1. Lichchhavi Welfare Foundation through its Secretary Sri. Rajiv Kumar
S/O Sri. Baccha Prasad Singh R/O Mohalla - Chhata Chowk (Balai
Campus) P.S. - Kazi Mohammadpur, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health, Bihar, Patna
2. The District Magistrate- Cum- Collector, East Champaran, Motihari
3. The Civil Surgeon- Cum- Chief Medical Officer Cum Secretary, District
Health Society, East Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Nadim Seraj, Adv.

For the Respondent/s : Mr. Shyam Kishor Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 23-11-2015 Heard Mr. Shailesh Kumar learned counsel for the
petitioner, Mr. Himanshu Kumar A.C. G.A.1 for the State and the
counsel for the State Health Society.

Although this writ petition was initially filed questioning
the tender notice dated 23.11.2012 as well as for payment of the
dues of the petitioner for providing generator services to the
respondents but considering the passage of time and lapse of
almost 3 years since the issuance of the tender notice that Mr.
Shailesh Kumar has chosen to restrict his prayer to the relief
present at paragraph 1(iii) of the writ petition whereunder a
direction is sought to the respondent No. 3 i.e the Civil Surgeon-
cum-Chief Medical Officer to make payment of the dues of the

petitioner against the supply of generator services for the period since after August, 2012. Even while advancing the case of the petitioner Mr. Shailesh Kumar has not been able to place on record any document whereunder any such claim has been raised by this petitioner before the respondent No.3.

In the circumstances discussed, this writ petition is disposed of with the liberty to the petitioner to raise his grievance regarding non payment of his bills before the respondent No.3 and it goes without saying that any such representation being filed by the petitioner would be considered and disposed of by the respondent No.3 the Civil Surgeon-cum-Chief Medical Officer, East Champaran within 3 months of its receipt and such of the claims found admissible should be made over to him within four weeks thereafter and in case such claim is not found admissible, the same would be disposed of by speaking order within the period stipulated but only after giving opportunity of hearing to the petitioner.

(Jyoti Saran, J)

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