

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14448 of 2014

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Dr. Subodh Kumar Sinha, S/o Late Sachindra Kumar Sinha, Resident of Ashiana Digha Road, P.S. Rajiv Nagar, District- Patna currently Head of the Department of Transfusion Medicine and Pathology, Mahavir Cancer Sansthan, Phulwari Sharif, Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health Education and Family Welfare, Government of Bihar, Vikas Bhawan, New Secretariat, Bailey Road, Patna.
2. The Director in Chief, Department of Health Education and Family Welfare (Services), Government of Bihar, Vikas Bhawan, New Secretariat, Bailey Road, Patna.
3. The Project Director, National (AIDS) Control Organization, 9th Floor, Chandralok Building, Janpath, New Delhi.
4. The Project Director, Bihar (AIDS) Control Society, Sheikhpura, District- Patna.
5. The Union of India through the Drugs Controller of India, New Delhi.
6. The Central Drug Standard Control Organization under the Directorate General, Health Services through its Director General, F.D.A. Bhawan, Kotla Road, New Delhi.
7. The Bihar State Blood Transfusion Council, Sheikhpura, Patna.
8. The Executive Director, State Health Society, Bihar, Sheikhpura, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ansul, Advocate

For the Respondent-State : Mr. P.N. Sahi, AAG-10

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CORAM: HONOURABLE THE CHIEF JUSTICE

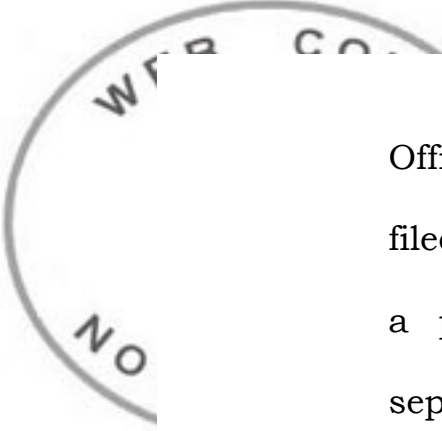
And

HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 06-04-2015



The petitioner is a retired Government Medical Officer, and is now working in Mahavir Cancer Institute. He filed this writ petition by way of public interest litigation with a prayer to direct the respondents to install the cell separator machines of a particular description in all the Government Blood Banks and Hospitals for the purpose of providing timely supply of safe blood components, ensuring maximum utilization of blood. Other ancillary directions in this behalf are also prayed for.

Heard learned counsel for the petitioner and learned counsel for the State.

The object of the petitioner is, no doubt, laudable. He contends that initiation of a facility for separation of various components of the blood would enable the effective utilization of blood that is donated by the persons. However, we are of the view that the petitioner can make a representation in this behalf to the respondents and, in case there is no response from them, he can approach this Court.

We, therefore, dispose of the writ petition, leaving it open to the petitioner to submit a comprehensive

representation in this behalf before the State authorities and the latter, in turn, to take necessary action in this behalf.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Ashwani Kumar Singh, J)

Sanjeet/k.c.jha/
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