

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8547 of 2010

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Dr. Sri Prakash Barnwal, Chief Secretary, Registered Indian Council of
Acupressure Yoga, Nochua, Jalalpur S/O Late Chandrama Prasad R/O
Nechua Jalalpur, P.S. Kuchie Kot, Distt.- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar through Director, Health Society, Sheikhpura, Patna
2. District Magistrate-cum-Chairman District Health Society, Gopalganj
3. Civil Surgeon-cum-Secretary, Distt.- Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Arun, Advocate
Mr. Gajendra Kumar Singh, Advocate

For the Respondent/s : Mr. Sunil Kumar Mandal, SC 24

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 27-03-2015

Heard the parties.

2. The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondents for payment of his contractual dues to the tune of Rs.1,42,000.00 for organizing Health Camps in the year 2008 in different Middle Schools in the district of Gopalganj.

3. A counter affidavit has been filed on behalf of the respondent no.3 wherein the claim of the petitioner has not been specifically disputed, but statement has been made that neither any bill was submitted by the petitioner nor any report is available with respect to organization of Health Camps by the petitioner. In paragraph 13 of the aforesaid counter affidavit, it has further been stated that if petitioner submits the bills in proper form with certificates of the concerned Headmaster of different Middle Schools where health Camps were organized, then the respondent no.3, after getting the matter examined, shall take appropriate steps for payment of admissible dues of the petitioner.

4. In view of the stand taken in the aforesaid counter affidavit, this Court is of the opinion that no useful purpose shall be served by keeping the present matter pending asking the learned counsel for the petitioner to file rejoinder affidavit controverting the statement made in the aforesaid counter affidavit.

5. In the given facts of the case, the petitioner is directed to appear before the respondent Civil Surgeon, Gopalganj (respondent no.3) within a period of four weeks from today with a certified copy of the present order and with his comprehensive representation annexing therein either the original bills or the photo copy of the bills, if the original bills were already submitted. Thereafter, the respondent no.3 shall get the matter examined by getting the reports from Headmasters of different Middle schools within a maximum period of three months from the date of appearance of the petitioner before him. On receipt of the report(s) from different schools if it is found that Health Camps were organized by the petitioner pursuant to the work order dated 01.07.2008, then the entire admitted dues of the petitioner shall be paid by the respondent no. 3 within a maximum period of one month thereafter.

6. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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