

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17383 of 2010

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M/S IGE Medical Systems through Proprietor Rakesh Kumar, S/O Sri Mahangu Singh having its registered office at Gala No.11, First Floor, Saphalaya Industrial Estate, Plot No.18, Survery No.126/P, Amli Silvassa-396230(U.T.), Dadara & Nagar Haveli, Having Branch Office At 703-Jagat Trade Centre , VIIth Floor, Fraser Road, P.S. Kotwali, Distt-Patna

.... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Health Government Of Bihar, Patna
2. The State Health Society Through Its Executive Director Parivar Kalyan Bhawan, Sheikhpura, Patna-800014
3. The Executive Director, The State Health Society Parivar Kalyan Bhawan, Sheikhpura, Patna-800014
4. The Administrative Officer, The State Health Society Bihar, Parivar Kalyan Bhawan, Sheikhpura, Patna-800014
5. The Incharge Radiology & Pathology, the State Health Society Parivar Kalyan Bhawan, Sheikhpura, Patna-800014
6. M/S Softline Media Ltd., New Delhi, 38, Rani Jhansi Road, P.O. Box No.5711, New Delhi-110055.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shravan Kumar, Sr.Adv.
Mr. Rajiv Nayan Singh

For the Respondent nos.2to5: Mr. K.K.Sinha

For the Respondent no.1 : Mr.Ranjan Kumar, AC to AAG-IV

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 10-04-2015 Learned senior counsel appearing on behalf of the petitioner submits that the major grievance of the petitioner particularly with respect to letter dated 16.09.2010 (Annexure-21) issued by the In-charge, Radiology and Pathology of State Health Society, Bihar does not survive any longer in view of the fact that the contract allotted to respondent no.6 was subsequently cancelled in the year 2011. He further submits that, so far other reliefs enumerated in paragraph 2 of the writ petition or any other grievances are concerned, the petitioner may be granted liberty to raise its grievances before the competent authority of the State Health Society, Bihar.

Learned counsel appearing on behalf of the State Health Society, Bihar and its functionaries assures this Court that, if such a representation is filed on behalf of the petitioner, the same shall be considered and decided in accordance with law and the valid grievances of the petitioner shall be redressed accordingly.

In above view of the matter, the present writ petition is disposed of with a liberty to the petitioner to file a comprehensive representation with all supporting documents with respect to surviving claims/grievances of the petitioner before the respondent no.3 within a period of eight weeks.

If such a comprehensive representation is filed by the petitioner within a period of eight weeks from today with a certified copy of the present order, then the respondent no.3 shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

If on consideration of the materials, the claims raised on behalf of the petitioner are found admissible to him, then the consequential orders shall also be issued without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and the same is left to be decided by the competent authority strictly in accordance with law.

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

The interim order dated 12.10.2010 passed by a Bench

of this Court stands vacated.



(Birendra Prasad Verma, J)