

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.454 of 2016

Medipol Pharmaceutical India Private Limited having its registered office at 128/5, Swiss House, Vishwas Nagar, Delhi-110032 and having its Branch Office at Jaipul Dhanki, near Kumhrar, Post Office- Bari Pahari, Police Station- Agamkuan, District- Patna-800007 through its Branch Manager, Binod Kumar Mandal, son of Sri Gauri Shankar Mandal, resident of Jaipul Dhanki, near Kumhrar, Post Office- Bari Pahari, Police Station- Agamkuan, District- Patna-800007.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
2. The Bihar Medical Services and Infrastructure Corporation Limited through its Managing Director, Department of Health, Government of Bihar, 5th floor, Biscomaun Bhawan, Gandhi Maidan, Patna-800001.
3. The Managing Director, the Bihar Medical Services and Infrastructure Corporation Limited, Department of Health, Government of Bihar, 5th floor, Biscomaun Bhawan, Gandhi Maidan, Patna-800001.
4. The General Manager (F & A), the Bihar Medical Services and Infrastructure Corporation Limited, Department of Health, Government of Bihar, 5th floor, Biscomaun Bhawan, Gandhi Maidan, Patna-8001.
5. The General Manager (Procurement), the Bihar Medical Services and Infrastructure Corporation Limited, Department of Health, Government of Bihar, 5th floor, Biscomaun Bhawan, Gandhi Maidan, Patna-800001.

.... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate Mr. Pritish Kumar Lal, Advocate
For the Respondent-State	:	Mr. Ritesh Kumar, SC-33
For the Respondent Corporation	:	Mr. Lalit Kishore, Sr Advocate with Mr. Prabhat Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-06-2016

Heard Mr. Sanjeev Kumar, learned counsel appearing

for the petitioner, Mr. Ritesh Kumar, learned Standing Counsel No.33 for the State and learned counsel appearing for the Bihar Medical Services and Infrastructure Corporation Limited (hereinafter referred to as 'the Corporation').



In the nature of the direction which this Court proposes to pass, it is not required to delve into the merits of the case. Suffice it to say that certain payment of the bills of the petitioner remains pending at the hands of 'the Corporation' and that no step being taken that the petitioner is before this Court.

Mr. Sanjeev Kumar, learned counsel appearing for the petitioner has invited the attention of this Court to the representation filed before the Managing Director of 'the Corporation' as back as on 7.12.2015 and which is with reference to the bills to the tune of Rs.14.50 crores which remains pending. A limited prayer is made by the petitioner to appropriately direct the Managing Director of 'the Corporation' to consider the claim and dispose of the same accordingly.

Having heard learned counsel for the parties and considering the innocuous prayer made in the writ petition I deem it fit and proper to dispose of this writ petition with a direction to the Managing Director of 'the Corporation' to consider the claim of the petitioner as discussed in the representation dated 7.12.2015 present at Annexure-5 and make payment of the admissible dues to the petitioner within a period of three months from the date of receipt/production of a copy of this order.

Needless to add that in case the dues in question or any part of the dues is found not admissible, the same may be disposed of by a speaking order but only after giving an opportunity of hearing to the petitioner. In any event the claim of the petitioner should be disposed of within three months from date of receipt/production of a copy of this order.

(Jyoti Saran, J)

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