

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8333 of 2013

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1. Bihar Gramin Jagrukta Abhiyan Samiti, Madhurya Loka, Ratanpur, Bishanpur, P.S.- Begusarai Mufasil, District- Begusarai through Its Secretary Mrs. Bachchi Devi, W/O Sri Jai Nr. Pd. Singh, R/O Village- Ratanpur Bishunpur, P.S.- Mufasil, District- Begusarai

2. Kaushalendra Kumar S/O Sri Jay Narayan Prasad Singh R/O Village- Ratanpur Bishunpur, P.S. Mufasil, District- Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar

2. The Secretary, Health-Cum-Executive Director State Health Society, Bihar, Patna, Parivar Kalyan Bhawan, Sheikhpura, P.S.- Shastrinagar, District- Patna

3. The District Magistrate-Cum-Chairman District Health Society, Bhojpur, Ara

4. Civil Surgeon-Cum-Member Secretary of District Health Society, Bhojpur, Ara

5. District Account Manager, Bhojpur, Ara

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Ajay Kumar Thakur,
Advocate.

For the Respondent Health Society: Mr. K.K. Sinha, Advocate.

For the State : Mr. Rajesh Kumar Sinha, AC to GP-
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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 01-03-2016 Heard Mr. Ajay Kumar Thakur for the petitioners
and Mr. Kishore Kumar Sinha for the respondent Health Society.

The petitioner was a registered society engaged in diverse acts/works for upliftment of the life style of the citizens living in the village. The Central Government launched a scheme called National Rural Health Mission (for short 'NRHM'). The State Health Society oversees the scheme in the State.



Indisputably, the petitioner was selected to run the Nutritional Rehabilitation Centre(for short ‘ NRC’) for which agreement was signed between them effective from 01.05.2011. Under the Scheme (Annexure-3) such centre can be allowed, in case there is no complaint, for a maximum period of three years. The said period, indisputably, has expired. From the counter affidavit of the respondent Health Society it appears that Shristi International is selected as agent vide a communication dated 28.12.2012. The period of the said agency, as per the scheme, appears to have also expired. The issue raised herein, in this background, has become academic. The Court is, therefore, not inclined to go into the submissions of Mr. Thakur.

It has been pointed out that after termination of the relationship under the agreement between the petitioners and the respondent Health Society a notice is issued on 31.12.2012 seeking reply from the petitioner on the instances/incidences of irregularities or lack of interest of the petitioner’s society in discharging the responsibilities under the agreement. The aforesaid action of the respondent society also appears to have become infructuous in view of the fact that the petitioner selected as the agency/centre has not been given any extension.

Noticing the aforesaid facts and after hearing both

parties, the writ application is disposed of as having become infructuous.

Before parting with the case, this Court records that non renewal or extension of the agreement to the petitioner's society shall not be construed as a disqualification for the petitioner in applying afresh for such selection as agency/centre under the NRHM if, at all the respondent-Society needs engagement of agency under the said scheme and takes steps for selection thereof.

(Kishore Kumar Mandal, J)

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