

# IN THE HIGH COURT OF JUDICATURE AT PATNA

## Civil Writ Jurisdiction Case No.358 of 2017

Vinod Kumar Sinha, S/o Late Girwar Dhari Sharan Sinha, resident of Mohalla- Nai Basti, Mahadewa, P.O.+P.S.+ District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of General Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Department, Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Block Development Officer, Guthni, P.O. & P.S.- Guthni, District- Siwan.

.... .... Respondent/s

### Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Adv.

For the Respondent/s : Mr. Anil Kumar, AC to SC-8

**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**

**ORAL JUDGMENT**

**Date: 17-11-2017**

Heard the parties.

The matter relates to reimbursement of medical claim of the petitioner as recommended by the District Magistrate, Siwan to the Principal Secretary, General Administration Department vide Memo No.1115 dated 27.7.2013, Memo No.88 dated 22.1.2016 and letter No.172 dated 16.3.2017 copies of which are placed at Annexure 'A' series to the counter affidavit which is in respect of bill submitted by the petitioner for an amount of Rs.21,684/-, Rs.62,893/- and Rs.43,842.70.

The bills submitted by the petitioner for his treatment at Escort Heart Institute, New Delhi have not been doubted rather has been recommended for payment before the Principal Secretary, General Administration Department, Bihar, Patna with a reminder on 9.3.2017 at Annexure 'B' to the counter affidavit for expediting the same. The matter has also been recommended by the Deputy Development Commissioner, Siwan vide Annexure 'C' for an amount of Rs.1,27,468.70 but for no



justifiable reason that the State in its General Administration Department has sanctioned an amount of Rs.61,942/- towards the medical reimbursement as against the recommendation of Rs.1,27,468.70. The counter affidavit simply reiterates this position at paragraphs 7 and 8 thereof.

In the circumstances, the Principal Secretary, General Administration Department, Government of Bihar, Patna is directed to pass appropriate orders on the remaining medical claim of the petitioner bearing in mind the recommendation of the District Magistrate, Siwan as well as the Deputy Development Commissioner, Siwan at Annexures ‘A’ series and ‘C’ as also the fact that neither any objection has been raised thereto nor the claim has been found to be doubtful.

Needless to say that unless there be any justifiable reason assigned, the balance claim of the petitioner in terms of the recommendation should be paid within four weeks from the date of receipt/production of a copy of this judgment. However, in case there are reservations for the Principal Secretary, General Administration Department in respect of balance claim, let the same be disposed of by a speaking order to be passed within the same period.

The writ petition is allowed with the direction aforementioned.

**(Jyoti Saran, J)**

SKPathak/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 27-11-2017 |
| Transmission Date | NA         |

