

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4250 of 2017

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Ravi Pratap Rai, Son of Lalan Rai, Resident of Village- Mohabbat Karmainee,
P.O. & P.S.- Kuclaikot, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Bihar, Patna.
2. The District Magistrate, Gopalganj cum Chairman District Health Committee, Gopalganj.
3. The Deputy Development Commissioner cum Deputy Chairman, District Health Committee, Gopalganj.
4. The Civil Surgeon cum Member Secretary, District Health Committee, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate
For the Respondent/s : Mr. Rajeshwar Singh-GA10

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-10-2017

None appears for the petitioner.

This petition has been filed in public interest and only general and vague allegations are made to say that in the District of Gopalganj in Government Hospitals, huge public money has been wasted and maintenance of Government Hospitals is not done properly. Proper sanitation, laundering, waste disposal and



security in the hospitals are not maintained. Except for making general allegations and indicating that tender notices have been issued for outsourcing of the works in question, no specific allegations have been made.

Respondent No.4 has filed the counter affidavit to say that in the absence of there being any specific allegation with regard to instances and particulars of the hospital, no reply can be filed and contending that without making complaint to the competent authority and without making any specific allegation, the petition filed in public interest based on vague averments cannot be entertained.

We find much force in the aforesaid objection raised by Respondent No.4. Except for making vague and unspecific allegations, petitioner has not detailed the particulars of the hospital where the illegalities are in existence, the particulars of the tender granted, the illegalities in the tender and various other factors which are necessary for proper adjudication of the issue.

The manner in which this Public Interest Litigation has been filed, we are not inclined to go into the matter.

In case the petitioner has any grievance still subsisting, he is at liberty to make a complaint to the competent



authority in accordance with law with necessary particulars of the hospitals and the instances of illegalities/irregularities.

With the aforesaid, this appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	9.10.2017
Transmission Date	

