

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.238 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 18262 of 2015**

- =====
1. All India Institute of Medical Sciences Phulwarisharif Patna through its Director.
 2. The Medical Superintendent, AIIMS, Patna.
 3. The Administration Officer, (Faculty in-charge), AIIMS Patna.
 4. The Service Monitoring Committee, AIIMS, Patna.

.... Appellants

Versus

1. M/s Medicine Palace , West Boring Canal Road, Patna-80001, Bihar through its Proprietor Mr. Anjani Kumar Singh, son of late Ram Chandra Prasad Singh, Resident of Vilalge – Hasanpur, P.S - Mahnar, District-Vaishali, Bihar.
2. The Union of India through its Secretary, Ministry of Health, New Delhi.

.... Respondent/s

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Appearance:

For the Appellant/s : Mr. Binay Kumar Pandey, Advocate.
For the Intervener : Mr. Rajendra Narain, Sr. Advocate.
Mr. Siddharth Shankar Pandey, Advocate.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 06-02-2017

Learned counsel for the appellants states that the contract period of sale of generic medicines in the favour of the writ applicant stands completed. Therefore, the present Letters Patent Appeal is rendered infructuous.

Mr. Rajendra Narain, learned counsel for the intervener states that the writ application was allowed without impleading the applicant on whose complaint the contract granted to the writ applicant was cancelled.



Be that as it may, the fact remains that the contract period has come to an end, therefore, no useful purpose would be served to decide the academic question.

If the intervener has suffered any loss, it shall be open to the intervener to take recourse to the law before the Civil Court in accordance with law.

Accordingly, the Letters Patent Appeal is dismissed as infructuous.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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