

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 1709 of 2017

In
Civil Writ Jurisdiction Case No. 19066 of 2016

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1. Bhola Nath Gupta Son of Sri Ram Prasad Sah resident of Village - Baniya Chhapar, P.O. - Koiladeva, P.S. - Phulwariya, District - Gopalganj.
 2. Kumari Priyanka Wife of Ashutosh Kumar Prasad resident of Village - Aranda, P.O. - Aranda, P.S. M.H. Nagar (Hassanpura), District - Siwan.
 3. Krishna Pratap Singh Son of Sri Vijay Pratap Singh resident of Village - Shabajpur, P.O. - Habibnagar, P.S. - Hussainganj, District - Siwan. Petitioner/s.

Versus

1. The State of Bihar.
 2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
 3. The Executive Director, State Health Society, Bihar, Patna.
 4. The District Magistrate-Cum-Chairman, District Health Society, Saharsa, Bihar.
 5. The District Magistrate-cum-Chairman, District Health Society, Begusarai, Bihar.
 6. The Civil Surgeon-Cum-Member Secretary, District Health Society, Saharsa, Bihar.
 7. The Civil Surgeon-Cum-Member Secretary, Health Society, Begusarai, Bihar. Respondent/s.
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Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Adv.

For the State : Mr. Anil Kumar Verma, AC to AAG-9

For State Health Society: Mr. K.K. Sinha, Adv.

: Mr. Shashi Shekhar, Adv.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 12-07-2017

Heard learned counsel for the petitioner, State as well as the respondent no. 3.

It is contended on behalf of the petitioner that inadvertently it was submitted before this Court on 24.01.2017



that Respondent No. 2, Principal Secretary, Health Department should be directed to take a final decision for filing fresh representation by the petitioners whereas in the facts and circumstances of the case the respondent no. 3, Executive Director, State Health Society is to be directed to take decision in this matter.

Learned counsel appearing for the State as well as the State Health Society also agrees to that.

Accordingly, the judgment dated 24.01.2017 passed in CWJC No. 19066 of 2016 is modified to the extent that the direction would be upon the Respondent No. 3, Executive Director, State Health Society to take a final decision on filing fresh representation by the petitioners on its own merit and in accordance with law expeditiously preferably within a period of three months from the date of receipt/production of a copy of the present order, if the same has already not been done.

This application stands disposed of.

(Dr. Ravi Ranjan, J.)

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