

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6648 OF 2014

Ayodhya Prasad

...Petitioner

vs.

The Director General, Health Services
and Others

...Respondents

Mr. V.N. Tayade, for the Petitioner.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JULY 10, 2017

P.C.:

. Through this Petition, the Petitioner a retired employee
of Railway is seeking the following direction.

- a) *“That the Court be pleased under Art.226 of the Constitution of India to issue writ of Mandamus or writ in the nature of Mandamus, order or direction, thereby to direct the Respondent No. 3 to constitute Enquiry Committee of three eminent Doctors from Government Hospitals at Mumbai to hold an enquiry into the malpractices committed in the premises of Dr. Babasaheb Ambedkar Memorial Hospital at Byculla, specially in allotting the bed from officer’s ward on 9th October, 2007 and submit report to this Court within 6 months from the date of the order and after scrutinizing the report the Court be pleased to further direct the Respondent No. 1 to take suitable action against the responsible officers in accordance with law including the action of initiating the departmental inquiry.*
- b) *Cost of the Petition be provided for*
- c) *Any other and further relief in favour of the Petitioner for which he is entitled to”.*

2. We find that the Petitioner had also approached seeking information under R.T.I. Act. A speaking order dated 14th September, 2011 was passed virtually indicating therein that the allegations levelled by the Petitioner were not correct. The said order has not been further challenged by the Petitioner. Be that as it may, the allotment of the bed is to be done by the Management as per the requirement at a particular point of time. The stand of the Respondents as is clear from the order dated 14th September, 2011 is that since there was repairing work going on in the room, which according to the Petitioner was vacant, the room could not be allotted to him.

3. In view of the aforesaid, we find no grounds to interfere into the matter at such a belated stage.

4. As a result, the Petition fails and is hereby dismissed.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)