

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9684 of 2014

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Gramin Vikash Evam Samaj Kalyan Sansthan, Shahpur (Bhojpur) through its Secretary Shri Lakshman Tiwary, aged about 52 years, Son of Late Sita Ram Tiwary ,At + P.O- Barisawan, P.S.- Shahpur, District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Govt. of Bihar, New Secretariat, Patna.
2. The Director In-Chief, Department of Health, Govt. of Bihar, New Secretariat, Patna.
3. The Secretary-cum- Executive Director, District Health Society, Bihar.
4. The District Health Society, Arwal through Civil Surgeon-cum-Member Secretary, Arwal.
5. The District Magistrate- cum- Chairman, District Health Society, Arwal.
6. The Civil Surgeon- cum- Chief Medical Officer- cum- Secretary, District Health Society, Arwal.
7. The Deputy Superintendent, Sadar Hospital, Arwal.
8. The Block Health Manager, Arwal, Office of Sadar Hospital, Arwal.
9. The Hospital Manager, Sadar Hospital, Arwal.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate
For the Respondents : Mr. Rajesh Roy, AC to SC 22

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 17-12-2018

The present writ petition has been filed for the following reliefs –

“(i) For issuance of an appropriate writ(s) in the nature of certiorari quashing the order as contained in letter no. 198 dated 03.03.2014 issued under the signature of the Civil Surgeon-cum-Secretary, District Health Society, Arwal by which a decision has been communicated to the Petitioner that the services as offered by the Petitioner comes to end from 03.04.2014.

(ii) For issuance of an appropriate Writ directing the Respondents to produce the decision of the District Health Society, Arwal dated 26.12.2013 and after



production of the same, a writ of certiorari be issued for quashing the said decision of the District Health Society, Arwal.

(iii) For issuance of an appropriate Writ in the nature of Mandamus commanding the Respondent authorities to take work from the Petitioner in view of the Agreement dated 01.06.2012.

(iv) For issuance of an appropriate Writ in the nature of Mandamus directing the Respondent to make payment of the entire due amount to the Petitioner along with an interest @ 18% per annum.

(v) For issuance of any other relief or reliefs, order/orders which the Petitioner may be found to be entitled in the facts and circumstances of the case.”

2. Learned counsel for the petitioner submits that the writ petition in its present form need not be pressed and it will suffice if it is disposed of in view of the averments contained in paragraphs 12 and 18 of the counter affidavit filed on behalf of the District Health Society, Arwal through Civil Surgeon-cum-Member Secretary, Arwal (respondent no. 4) to the effect that certain payments have been made and if the petitioner raises any further claim, then the admissible amount would be paid after proper enquiry.

3. Learned counsel for the State appears and has been heard.



4. Having regard to the stand of the respondents, the writ petition is disposed of granting liberty to the petitioner to approach the concerned authority with fresh representation concerning the claim for payment of outstanding dues within a period of two weeks from today. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of in accordance with law and after grant of an opportunity of hearing to the petitioner expeditiously and preferably within a further period of eight weeks thereafter.

(Vikash Jain, J)

BT/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.12.2018
Transmission Date	N.A.

