

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13304 of 2017

Vivekanand Sharma, Son of Late Mod Narayan Sharma, resident of Mohalla - Satsang Nagar, Road No. 1 Lane No. 2, Jehanabad, Police Station - Jehanabad in the district of Jehanabad.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Labour and Employment Department, Shram Shakti Bhawan, Rafi Marg, New Delhi - 800001.
2. The Director General, Employees State Insurance Corporation (ESIC), Panchdeep Bhawan, G.I.C. Marg, New Delhi.
3. The Financial Commissioner, Employees State Insurance Corporation, Panchdeep Bhawan, G.I.C. Marg, New Delhi.
4. The Chief Vigilance Officer, Employees State Insurance Corporation, Panchdeep Bhawan, G.I.C. Marg, New Delhi.
5. The National Building Construction Corporation Limited (NBCC), through its Chief Managing Director, NBCC Bhawan, Lodi Road, New Delhi - 110003.
6. The Director, Finance NBCC, NBCC Bhawan, Lodi Road, New Delhi - 110003.
7. The Director, Project NBCC, NBCC Bhawan, Lodi Road, New Delhi - 110003.
8. The General Manager, NBCC, RBG 404 Maurya Tower, Maurya Complex, Patna - 800001.
9. The Deputy General Manager, NBCC, Patna E.S.I.C. Medical College and Hospital, Bihta, Patna - 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate Mr. Shushant Kumar, Advocate
For the Respondent Nos.1 to 4	:	Mr. Sheo Narain Singh, Advocate Mr. Awadhesh Kr. Pandey, Advocate
For the Respondent Nos.5 to 9	:	Mr. Satish Kumar Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-06-2018

This public interest litigation has been filed for making operational ESIC Medical College and Hospital building at Bihta. It is alleged that the project was commenced in the year 2009,



work order was issued and as the project was not completed, the writ petition in public interest was filed in the year 2017. The matter is pending since then.

Counter affidavits have been filed by the respondents and from the supplementary counter affidavits filed by the respondents no.1 to 4 yesterday, it is seen that the construction of the hospital has been completed and in paragraph 5, detailed facts have been stated with regard to posting of Medical Superintendent who is said to have joined on 31.05.2018, action taken by the Medical Superintendent for procurement of drugs, providing technical and functional assistance, procuring and recruitment of man power and various steps that have been taken as detailed in paragraph 5 onward. That apart, approval from the Pollution Control Board, no objection from the Fire and Safety Department and various other formalities required including permission from the Medical Council are undertaken and we are satisfied that steps have been taken for conclusion of the project and the Director General of Employees State Insurance Corporation, New Delhi is seized of the matter and is ensuring that the hospital becomes functional at an earlier date. We are informed at the bar today that the date of inauguration has been fixed on 7th July, 2018.



Keeping in view the aforesaid, we are satisfied that the respondents have taken steps in the matter. We see no reason to take any further indulgence into the matter.

The writ petition stands disposed of with a direction to the respondents to proceed to make the hospital functional as indicated in the supplementary counter affidavit filed yesterday.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.06.2018
Transmission Date	

