

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1814 of 2015

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Mahanand Singh S/O Late Mukhlal Singh Resident of Mohalla-New Etwarpur,P.S-Parsa Bazar,Distt.-Patna, Retired Private Secretary,General Administration Department(formerly Personnel And Administrative Reforms Department)Govt. of Bihar,Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary ,General Administrative Department, Govt. of Bihar, Patna
2. The Principal Secretary ,General Administrative Department, Govt. of Bihar, Old Secretariat Building,Patna-800015
3. The Principal Secretary ,Finance Department, Govt. of Bihar, Old Secretariat Building,Patna-800015
4. The Principal Secretary ,Planning & Development Department, Govt. of Bihar,Old Secretariat Building,Patna-800015
5. The Secretary,Bihar State Planning Board, Bishwashwaraiya Bhawan,Bailey Road,Patna.
6. The Deputy Director,Bihar State Planning Board, Govt.of Bihar ,Bishwashwaraiya Bhawan,Bailey Road,Patna.
7. The Secretary ,Bihar Staff Selection Commission,P.O-Veterinary College,Patna-800014
8. The Under Secretary,(Incharge Section-21)General Administration Department, Govt. of Bihar, Patna
9. The Director, Indira Gandhi Institute of Cardiology, Patna Medical College Hospital Complex, Patna
10. The Accountant General, Bihar. Veerchand Patel Path, Near "R"Block,Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siddharth Harsh, Advocate
For the State	:	Mr. Md. Mujtabaul Haque, GP 12
For the BSSC	:	Mr. Rakesh Kumar, Advocate
For the AG	:	Mr. Makeswar Pd Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 25-06-2018

Heard learned counsel for the petitioner and the respondents.

2. As against the petitioner's claim for an amount of Rs.



3,28,210/- for the treatment undertaken by the petitioner thrice on account of cardiac disease an amount of Rs. 2,30,666/- has been paid during pendency of the writ petition.

3. It is the petitioner's submission that an amount of Rs. 1,04,117/- remains unpaid.

4. Counsel for the respondent State points out that as per the petitioner's averments in paragraph 8, on one occasion he has taken advance of Rs. 1,04,000/- for treatment undertaken at the Heart Hospital, Patna. He submits that since no bills or proof of utilization of the said amount has been submitted, perhaps the same has not been considered and therefore, the shortage of Rs. 1,04,117/- as alleged by the petitioner, may have been occasioned.

5. Counsel for the petitioner is unable to show the utilization of Rs. 1,04,000/- taken as advance though the fact of the said advance has been admitted in Paragraph 8 of the writ petition. The petitioner has also not placed on record the annexures to show that the proof of utilization of the said advance has been submitted before the authority.

6. In view of the fact such details not being on record, this Court is not in a position to take a decision in respect of balance amount of Rs. 1,04,117/-.

7. The petitioner will be at liberty to point out before the



authorities that the bills / utilization proof of amount of Rs. 1,04,000/- taken as advance for the Coronary Artery By-pass Graft Surgery (CABG) undertaken at the heart hospital, Patna has been submitted before the authorities. If such details are submitted, the authorities would be obliged to take a fresh decision with respect to petitioner's claim of amount of Rs. 1,04,117/- in the rejoinder filed to the counter affidavit

8. Let the petitioner submit details with respect to his claim within a period of two weeks from today. If such claim is submitted, the respondent would be obliged to take a final decision and pay the admissible dues to the petitioner within a period of eight weeks thereafter.

9. The writ petition is disposed off with the observations aforesaid.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

