

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7510 of 2018

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M/s I G E Medical Systems through Proprietor Rakesh Kumar, S/o Late Mahangu Singh, Office at 703-Jagat Tarade Centre, VIIth Floor, Fraser Road, Police Station Kotwali, District Patna.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The State Health Society through its Executive Director.
4. The Executive Director, the State Health Society.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Sharwan Kumar, Sr. Advocate. Mr. Dinesh Maharaj, Advocate.
For the State	:	Mr. Upendra Kumar Singh, AC to GA-8
For the State Health Society:	:	Mr. K.K. Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-05-2018

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondents in regard to the letter dated 13.04.2018 issued by respondent no. 4 to stop services after 25.04.2018 and the appropriate arrangements would be made in due course and till then the Civil Surgeons of all the districts have been directed to make local alternative arrangements .

3. This matter has been taken up out of turn on the request of the petitioner. Mr. Sharwan Kumar, learned Senior counsel



appearing on behalf of the petitioner submits that the main relief sought in the writ petition need not be pressed if liberty is granted to the petitioner to file a representation before the authorities for payment of outstanding dues of more than Rs. 25,00,00,000/- (Twenty Five Crores) pursuant to the work done by the petitioner in terms of the agreement with the State Health Society after setting up ultrasound centres and X-ray centres all over the State.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the grievances of the petitioner and with consent of the parties, this writ petition is disposed of, granting liberty to the petitioner to approach the Executive Director, the State Health Society (Respondent No. 4) with a fresh representation for redressal of its grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 6% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioner's claim is found inadmissible,



whether in whole or in part, the petitioner’s representation shall be disposed of by a speaking order in that regard.

6. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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