

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7299 of 2019

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Vijay Bahadur Yadav Son of Mahabal Yadav Resident of Village-Mundwar,
P.S.-Phulpur, District-Azamgarh, (Uttar Pradesh) at present posted as
Additional District Judge, Biharsharif (Nalanda).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General and Administrative Department, Govt. Bihar, Patna.
2. The Principal Secretary, General and Administrative Department, Govt. Bihar, Patna.
3. The Principal Secretary, Law Department, Govt. Bihar, Patna.
4. The Director in Chief, Health Department, Govt. Bihar, Patna
5. The Superintendent of J.L.N.Medical College and Hospital, Bhagalpur, District-Bhagalpur.
6. The Registrar General, Patna High Court, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhananjay Kumar Gupta, Advocate Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr.Md. Nadeem Seraj, G.P.-5 Mr. Mrigank Mauli, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-08-2019

Heard learned counsel for the parties.

The medical bills of the petitioner were not being
cleared, as a result whereof we had passed orders on 9th April,



2019 and again on 19th April, 2019, whereafter the respondents have filed their counter affidavit and have indicated that the claim made by the petitioner in respect of certain payments were unsupported by documents. This amount of difference to the tune of Rs. 2,13,451/- is being claimed by the petitioner.

The amount which was not admissible has been disallowed as per the C.G.H.S. Scheme.

However, the aforesaid amount of Rs. 2,13,451/- has been denied on account of the documents not supporting the said claim.

The rejoinder affidavit filed by the petitioner in paragraphs 6 and 8 has attempted to justify the said claim, but while answering the counter affidavit, it has been said that if the respondents have any objection, then they can enquire it by telephone from the concerned hospital.

We are unable to subscribe to the aforesaid suggestion made by the learned counsel for the petitioner, inasmuch, as it is for the petitioner to obtain the requisite information from the concerned hospital which may be the supporting document in support of any such claim.

If and when any such documents is produced by the petitioner before the respondents, the same shall be considered



and appropriate order be passed informing the petitioner about the same.

With the aforesaid observation, the writ petition stands disposed off.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	07.08.2019
Transmission Date	

