

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12231 of 2019

Vikash Chandra Guddu Baba, S/o Late Ramashraya Singh Presently residing at Mahatma Gandhi Path, Kurji-Baluper, P.O.-Sadakat Ashram, P.S.-Digha, District-Patna

... .. Petitioner

Versus

1. The State of Bihar through its Chief Secretary to the Government of Bihar, Patna
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Govt. of Bihar, Patna
3. The Director-in-Chief (Administration) Health Services, Govt. of Bihar, Patna
4. The Managing Director, the Bihar Medical Service Infrastructure Corporation Limited, Rajbanshi Nagar, Patna
5. The Drug Controller, Bihar New Secretariate, Patna
6. The Superintendent Patna Medical College and Hospital, Patna
7. The Superintendent Nalanda Medical College and Hospital, Patna
8. The Superintendent Shrikrishna Memorial Medical College and Hospital, Muzaffarpur
9. The Superintendent Jawahar Lal Nehru Medical College and Hospital, Bhagalpur
10. The Superintendent Anugrah Narayan Magadh Medical College and Hospital, Gaya
11. The Superintendent Darbhanga Medical College and Hospital, Darbhanga
12. The Superintendent Bettiah Medical College and Hospital, Bettiah, West Champaran

... .. Respondents

Appearance :

For the Petitioner : Mr.Vikash Chandra Guddu Baba (In Person)
For the Respondents : Mr.Bibhuti Kumar, AC to AG

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER



(Per: HONOURABLE THE CHIEF JUSTICE)

5 09-12-2019 The petitioner has prayed for following reliefs:-

“For issuance of writ of Mandamus, Commanding and Directing the respondent authorities to provide life saving drugs to different medical colleges/hospitals situate under the state of Bihar as the information given by Patna Medical College & Hospital, Patna (P.M.C.H. Patna) is very surprising because the premier Medical College & Hospital like P.M.C.H. Patna has no life saving drugs as per list provided by the Patna Medical College & Hospital, Patna and any other relief or reliefs for which the Petitioner is found entitled in the fact and circumstance of the case.”

The petitioner submits that out of 400 life saving drugs, only 77 life saving medicines are available at P.M.C.H. Refuting the averments, the Principal Secretary, Health Department clarifies that total number of life saving drugs made available from the Department is 205. And insofar as the remaining drugs are concerned, no one has come forward to participate in the Tendering Process and as such alternative system of purchase of medicines from the open market is available. The statement of the Principal Secretary is accepted and taken on record.

In view of the aforesaid statement, we dispose of the writ petition reserving liberty to the petitioner to invite attention of the concerned authorities, if any such grievance survives.



We hope and expect that the matter shall be
considered and action taken with reasonable dispatch.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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