

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5378 of 2020

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Allengers Medical Systems Ltd. through Nayan Ganguly, Branch Manager, Patna Branch, aged about 36 years (Male), S/o- Sunil Ganguly, R/o - Sanchinagar, P.S. - Phanshidiwa, District- Darjiling- 734434 (West Bengal). At present Near Budha Dental College, M.G. Nagar, Kanti Factory Road, P.S.- Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Health, Govt. of Bihar, Patna.
3. Bihar Medical Service and Infrastructure Limited through its Managing Director, 5th Floor, Biscomaun Bhavan, Gandhi Maidan, Patna- 800001 (BIHAR).
4. Managing Director, Bihar Medical Service and Infrastructure Limited, 5th Floor, Biscomaun Bhavan, Gandhi Maidan, Patna- 800001 (BIHAR)
5. General Manager Procurement, Bihar Medical Service and Infrastructure Limited, 5th Floor, Biscomaun Bhavan, Gandhi Maidan, Patna- 800001 (BIHAR)
6. General Manager Administration, Bihar Medical Service and Infrastructure Limited, 5th Floor, Biscomaun Bhavan, Gandhi Maidan, Patna- 800001 (BIHAR)
7. General Manager Logistics, Bihar Medical Service and Infrastructure Limited, 5th Floor, Biscomaun Bhavan, Gandhi Maidan, Patna- 800001 (BIHAR)
8. Chief General Manager, Supply Chain, Bihar Medical Service and Infrastructure Limited, 5th Floor, Biscomaun Bhavan, Gandhi Maidan, Patna- 800001 (BIHAR)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vishwajeet Kumar Mishra
For the Respondent/s	:	Mr.Pankaj Kumar (Sc12)
For Bihar Medical Service	:	Mr. Vikas Kumar (SC 11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner, Sri



Mishra, Advocate as also Sri Vikash Kumar, learned SC-11 appearing for the Bihar Medical Service and Infrastructure Ltd. and Sri Pankaj Kumar, the learned Advocate appearing for the State.

The present writ petition has been filed for making the payment of a sum of Rs. 18,61,257/- along with interest @ 13% per annum to the petitioner for supplying and installing eleven Portable X-ray Machines at different Government Hospitals in Bihar.

The learned counsel for the respondents has submitted that the petitioner may file an appropriate representation which shall be considered and appropriate orders shall be passed.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present writ petition with liberty to the petitioner to file appropriate representation before the respondent no. 4 i.e. the Managing Director, Bihar Medical Service & Infrastructure Limited, Patna within a period of six weeks from today, which is directed to be disposed off by the respondent no. 4 within a period of six weeks thereafter and in case, any admitted dues are found payable to the petitioner herein, the same shall be paid within a further period of eight weeks, failing which, the outstanding



amount of dues payable to the petitioner, shall carry an interest @ 9% per annum from the date, the same became due till the date of payment.

(Mohit Kumar Shah, J)

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