

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.101 of 2020

Ashish Kumar Sinha, Male, aged about 33 years, S/o Shri Randhir Kumar Sinha, R/o Chitragupta School Road, Ward No.28, Kayasth Tola, P.O., P.S. and District- Saharsa.

... .. Petitioner

Versus

1. Union of India through Ministry of Health and Family Welfare.
2. State of Bihar through its Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar.
3. The Principal Secretary, Cabinet Secretariat Department, Government of Bihar.
4. The District Magistrate, Saharsa.

... .. Respondents

Appearance :

For the Petitioner : Mr. Parth Gaurav, Adv.
For the Respondents : Mr. Lalit Kishore, AG

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-01-2020 The petition filed on 04.01.2020 is listed for hearing
for the first time today before the Court.

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

Petitioner has prayed for the following reliefs:

“(i) For issuance of a writ in the nature of writ of
mandamus or any other writ/order directing the
Respondent No. 1 and 2 to consider the proposal
dated 26.08.2017 sent by Respondent No. 4 and
other district administrations to the former, if any
specially in the context that proposals shall be placed



before the Respondent No. 1 on or before 02.12.2019 as per the order dated 25.11.2019 in CJWC No. 21198/2018 by this Hon'ble Court.

(ii) For issuance of an appropriate writ/order directing the Respondent No. 1 and 2 to maintain maximum transparency in the process of finalizing the place for establishment of second AIIMS like institution in Bihar and pass a speaking order after the finalization process as to why the particular proposal was preferred over the other alternate proposals, if any.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law,



before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

Rajeev Kumar/-

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