

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25863 of 2019

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1. Ajeet Singh, S/O - Late Raj Narayan Singh, R/O- G-131, Peoples Co-operative Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna, Bihar.
 2. Brajendra Kumar Singh, S/O Late Shiv kumar Singh, R/o- Village- Narharpur, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through, Principal Secretary, Health Department, Secretariat, Government of Bihar.
2. Secretary, Department of Health, Government of India, New Delhi.
3. Superintendent of Police, C.B.I. Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajeet Singh (in person)
For the Respondent/s : Mr. Nagendra Kumar SC-11
For the CBI : Mr. Bipin Kumar Sinha, SC/ CBI

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 21.12.2019 is listed for hearing
for the first time today before the Court.

Heard the petitioner no.1, in person, and learned
counsel for the respondents.

Petitioners have prayed for the following relief:

“That this is an application for issuance of an
appropriate writ/writs, direction/directions,
directing the respondent no.3 to investigate, the
loot/corruption/embezzlement/misappropriation



of Government Funds, routed through respondent no.1 in Government Hospitals, in the maintenance of Government Hospitals and providing health services throughout the State, in Patna Medical Hospital and other Government Run and Government aided Hospitals and to investigate further, the nexus between Medical/Private Hospital/Nursing Home/ Doctors mafia with the Government employees of health department/government hospitals/doctors. Asking Respondent no.1 and Respondent no.2 to explain further that why patients are not being admitted in Emergency and ICU wards of the Respondent no.2 despite recommendations by the Doctors on duty, why senior Doctors, nurses ward boys, sweepers are not attending patients, why the electronic attendance machines are out of order, why patients are lying on the floor unattended, why the Emergency and other wards are so dirty and stinking, why the ceiling is falling on the patients, why maximum number of Duct Air Conditioners are out of order in the emergency and other wards, why the condition of the PMCH and other Government hospitals are pathetic, why touts of private nursing homes/private hospitals and doctors are roaming in the PMCH and other Government Hospitals and persuading the patients and their relatives to take the patients to other Private nursing homes/hospitals, why at the entrance of PMCH, armed police and private security guards are



preventing the patients/attendants to get admission in PMCH emergency wards and further preventing them to meet the junior doctors on duty, why medicines are not available in the PMCH and other Government Hospitals, why beds and other emergency equipment and facilities are not available in the PMCH and other Government Hospital, why the doctors and medicine counters are getting commissions from the medical shops on the purchase of medicine outside the PMCH and other Government Hospitals, why the staff is taking bribe to get the patient admitted in the Emergency and in I.C.U., why big Peepal trees are growing on the first floor terrace and walls of PMCH. Why the emergency and other wards of PMCH are not better than public lavatories, why PMCH is not better than a slaughter house where patient come to die, why there is more than 6 deaths every hour from PMCH medical emergency only, why senior doctors, nurses, para medical staffs and sweepers are not attending the patients of PMCH and other Government hospitals. Why the Government Hospitals, and governed aided hospitals and health services are in pathetic conditions in the State of Bihar, despite Crores of Rupees been spent on the Government hospitals and health services in the State of Bihar every year. Why for the medical test of patients the concerned staff is deliberately giving time/appointment for CT Scan, MRI, etc. for 5-7 days later from the time patient reaches



their counter and if the test is any how done then 5-7 days later to get the report of Radiologist or pathologist. Further directing Respondent No.1 and 2 to provide above mentioned facilities/services without fail/delay/harassment to the patients and their attendants throughout the State. The State is duty bound to provide abovementioned services to it's citizens to the best of it's basic minimum standards. The private practice of the Government Hospitals be banned as it is banned in every other State and attracts Anti Corruption Provisions.”

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)

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