

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2561 of 2020

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Aaruni Charitable Trust through its Trustee Mrs. Meera Sinha, W/o Mr. Santosh Kumar Srivastava, R/o- L-8, Lakhan Star Appartment, Road No. 39, P.S. Gardanibagh, Patna- 800002, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Main Secretariat, Patna- 800015
2. Principal Secretary, Department of Health, Government of Bihar, Ist Floor, Vikas Bhavan, Bailey Road, Patna- 800015
3. Additional Chief Secretary, Department of Social Welfare, Government of Bihar, Main Secretariat, Patna, Bihar.
4. Director, Integrated Child Development Services, Government of Bihar, Main Secretariat, Patna, Bihar.
5. Ministry of Women and Child Development, Government of India, Shashtri Bhawan, New Delhi.
6. Civil Surgeon, Madhubani.
7. Child Development Project Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Singh, Adv.
For UOI	:	Mr. Rajesh Kumar Verma, ASG
For the Respondent/s	:	Mr. S.D. Yadav (AAG 9)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-02-2020 Petitioner has prayed for the following reliefs:-

“For a direction to the Respondent No. 1, 2 & 6 for maintaining sanitation in all the Health Centres including Primary Health Centres, Community Health Centres and Sub-Divisional Hospitals in the district of Madhubani.

For a direction to the Respondent Nos. 2 & 6 for providing 24X7 service to the patients in all the Health Centres including Primary Health Centres,



Community Health Centres and Sub-Divisional Hospitals in the district of Madhubani.

For a direction to the Respondent Nos. 2 & 6 to build boundary walls on all sides of the compounds of the hospitals and gates for the safety and security of the patients.

For a direction to the Respondent Nos. 1, 2, 3, 4, 5 & 7 to recruit the sanctioned manpower including doctors, pharmacists, ANMs etc.

For a direction to the Respondent Nos. 1, 2 & 6 to set up the required equipment like X-ray machines and ECG machines for the diagnosis of the patients.

For a direction to the Respondent Nos. 1, 2 & 6 to maintain adequate stock of the required medicines for the patients in these hospitals.

For a direction to the Respondent Nos. 3, 5, 6 & 6 to encourage the women to stay for the stipulated 48 hours after delivery.

For a direction to the Respondent Nos. 1 & 2 to build space for the patients to sit in the Outpatient Department.

For a direction to the Respondent No. 2 to set up blood banks in those health centres where these are sanctioned but are not set up till now.

For a direction to the Respondent Nos. 1, 2, 6 & 7 to build New Born Care Corner wherever this is sanctioned but not actually built and to make it operating in those Health Centres where these are not functional due to various defects which may be either in functioning of the machines or due to the lack of manpower.

For a direction to the Respondent No. 6 to properly follow all the guidelines framed by the Indian



Public Health Standards.

For a direction to the Respondent Nos. 1, 2 & 3 to compensate the victims who have been affected by the nonfeasance of the concerned authorities.”

Considering the nature of grievance raised in the application, we are of the considered view that it would be appropriate if the petitioner were to first approach the respondent authorities by way of filing representation.

The present application is, accordingly, disposed of reserving the liberty to the petitioner to file appropriate representation before the appropriate authority within a period of four weeks. If such a representation is filed by the petitioner within the time stipulated, the authorities are directed to consider the same and dispose it of expeditiously and preferably within a period of three months thereafter.

This application is disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

K.C.Jha/-

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