

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7013 of 2020

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Garg Drugs through its proprietor, Santosh Kumar Agarwal (male) aged about 50 years, S/o- Late Mahavir Prasad Agarwal, At- Near Janta Hotel, Babutola Lane, Govindmitra Road, P.S- Pirbahore, Patna, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of health, Government of Bihar, Patna.
2. The Principal Secretary Department of Health, Government of Bihar, Patna.
3. The Civil Surgeon-Cum-Chief Medical Officer, Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bibhakar Tiwary, Advocate

For the Respondent/s : Mr. S. D. Yadav, AAG 9

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 15-11-2021

Petitioner has prayed for the following relief(s):

“(I) To issue an appropriate writ, preferably in the nature of mandamus commanding upon the respondent authorities to pay to the petitioner the amount of Rs. 45,60,864/- with suitable interest towards supply of medical equipment and medicines by the petitioner as per the supply orders issued by the respondent authorities.

(II) To grant any other relief(s) for which the petitioner may be found entitled to in the facts and



circumstances of this case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);



(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

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

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits of the matter. All issues are left open;



The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Sanjay

AFR/NAFR	
CAV DATE	
Uploading Date	24.11.2021
Transmission Date	

