

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 398 of 2021

Atul Pharma South Lakhi bagh, Keur Niwas, near Gauri Kanya Middle School, P.O. Bhumiarganj, Manpur, Gaya, Bihar through its proprietor Gopal Kumar, aged about 37years, Male.

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Vijaya Laxmi Srivastwa, Adv.
For the Respondent/s : Mr. Vijay Kumar Singh, AC to SC-18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 21-09-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking the following reliefs:-

- (i) For issuance of writ in the nature of mandamus directing and commanding the



respondent authority to make payment of Rupee 5,14,080/- for the supply of medicines made by the petitioner in terms of letter / supply no. 2047 dated 1.12.17 issued under the signature of Civil Surgeon cum Chief Medical Officer, Munger, which has not been paid to the petitioner despite passage of 3 years from the date of delivery.

(ii) For issuance of a writ in the nature of mandamus directing and commanding the respondent authority to make payment of other due amount in lieu of supply of medicines for which payment has not been made in terms of direction of the civil surgeon cum chief medical officer, Munger."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Civil Surgeon-cum-Chief Medical Officer, Munger i.e. the Respondent No. 3 for redressal of the aforesaid grievances of the petitioner.



The learned counsel for the Respondent-state, Sri Vijay Kumar Singh (AC to SC-18), has got no objection.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with liberty to the petitioner to approach the Respondent No. 3 and in case, appropriate representation is filed within a period of four weeks from today, the Respondent no. 3 shall pass a reasoned and a speaking order, in accordance with law, within a period of eight weeks thereafter and if, any admitted outstanding dues are found payable, the same shall be paid within a further period of eight weeks, therefrom.

(Mohit Kumar Shah, J)

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