

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1305 of 2022

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Shashi Ranjan Singh, S/o Sri Bonod Prasad Singh, R/o Mohalla - Senapat,
P.S. - Darbhanga (T), District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar Through at Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
5. The Joint Secretary, Health Department, Government of Bihar, Patna.
6. The Commissioner, Tirhut Division at Muzaffarpur.
7. The Inspector General, Tirhut Division, Muzaffarpur.
8. The Deputy Inspector General of Police, Tirhut Division, Muzaffarpur.
9. The State Drug Controller Bihar, Patna.
10. The District Magistrate, Muzaffarpur.
11. The Civil Surgeon - cum- Chief Medical Officer, Muzaffarpur.
12. The Senior Superintendent of Police, Muzaffarpur.
13. The Superintendent of Police, Muzaffarpur.
14. The S.H.O. Brahampura Police Station, Muzaffarpur.
15. The State Programme Officer, Adhanpan Niyantran Karyakaram, Bihar, Patna.
16. The Assistant Chief Medical Officer - cum - Andhapan Niyantran Karyakaram, Muzaffarpur.
17. Mr. Dilip Jalan S/o - Not known The Secretary, Muzaffarpur Eye Hospital, Juran Chapra, P.S. - Brahampura, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr.Pawan Kumar, (A.C. To A.G.)

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

(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 04-02-2022

The petitioner has prayed for the following relief/s :-

(a) To constitute an enquiry committee headed by either any of the sitting or retired Hon'ble Judge of this Hon'ble Court or direct any of the Central Investigation Agency to make an appropriate inquiry against the instance which has taken place in Muzzafarpur Eye Hospital, in the name of Surgery of cataract because of which 65 patient have lost their eye site and accordingly direct the Central

Investigation Agency to take an appropriate action, either Civil or Criminal, against the management of Muzzafarpur Eye Hospital as also against the Doctors who have conducted the surgery as well as against the manufacturers and distributors of the Drugs which have been used on the patients during the alleged operation, pursuant to which they have lost their eye site.

(b) To direct the management of Muzzafarpur Eye Hospital, to pay a suitable amount of compensate to all the victims/their family members as they have lost their eyes because of improper operation and treatment using contaminated Drugs (eye drop).

(c) To direct the Assistant Drug Controller Muzzafarpur as also the Drug Controller Bihar, Patna to take the samples of the Drugs/equipments which have been used by the Eye Hospital Muzzafarpur and other chemicals as well and obtain report from any of the Central Laboratory and accordingly take an appropriate legal action (Civil and Criminal) against the manufacturers and distributors of the said Drugs/equipments.

And for any other relief(s) for which the petitioner may be found entitled in the facts and circumstances of the case.



Learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to file a fresh petition, on the same and subsequent cause of action, in accordance with law, if so required and desired.

Permission granted with liberty as prayed for.

Liberty also reserved to the petitioner to make a mention for listing of the petition on priority basis. As and when any such mention is made, Registry shall take steps for listing the petition at the earliest.

Instant petition stands dismissed as withdrawn in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

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