

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1700 of 2020

Dirghayu Mahavir Diagnostics through its Chairman Ashraf Khan, aged about 42 years (Male), S/o Late Ramzan Khan, R/o Mohalla- Chakwasu Lane, Kachchi Sarai, Ramna, P.S. Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Bihar, Patna.
2. The State Health Society through its Executive Director, Shikhpura, Patna.
3. The Special Secretary, Health cum Executive Director, State Health Society, Sheikhpura, Patna.
4. The District Magistrate cum Chairman, District Health Society, Muzaffarpur.
5. The Civil Surgeon cum Secretary, District Health Society, Muzaffarpur.
6. The Superintendent, Sadar Hospital, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anand Ojha, Advocate Mr. Shailesh Kumar, Advocate Mr. Zainul Abedin, Advocate
For the Respondent/s	:	Mr. Rajeshwar Singh, GA-10 Mr. Kishore Kumar Sinha, Advocate Mr. Shashi Shekhar, Advocate Mr. Rana Bhupendra Nr. Singh, A.C. to G.A. 10

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

Date : 20-09-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- (i) For issuance of writ of certiorari for quashing of the order issued under Memo No. 5493 dated 29.10.2019 by the Respondent No. 3, whereby and whereunder



the claim for payment against bills is not justified and accordingly the claim for payment is rejected.

- (ii) For issuance of writ of mandamus for direction to the respondents to make the payment for the services undertaken by the petitioner from 01.08.2017 to 03.05.2019 under a valid order / direction of the respondents.
- (iii) For issuance of writ of mandamus for direction to the respondents to make the payment to the petitioner for providing Pathological and Radiological services at Sadar Hospital, Muzaffarpur from 01.08.2017 to 03.05.2019 under an agreement dated 17.01.2017 with penal interest @ 18% till date of payment.
- (iv) For issuance of any other relief/reliefs and order/orders or direction of which the petitioner may entitle for and your Lordships may deem fit and proper.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to initiate appropriate proceedings, in accordance with law.



Permission granted.

The report of the Committee can also be challenged
in accordance with law.

The instant petition stands disposed of as
withdrawn with liberty aforesaid.

Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	23.09.2022
Transmission Date	

