

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2412 of 2021

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The New India Assurance Company Limited, represented through Mr. Anil Kumar Pravin, aged about 55 years, male, s/o Lt. Shew Charan Shaw, the Chief Regional Manager/ Authorized Signatory / Duly constituted Attorney, Regional Office, 6th and 7th Floor, BSFC Building, Frazer Road, Patna-800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, the Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Labour, Government of Bihar, Patna.
3. The Principal Secretary, Department of Health Government of Bihar, Patna.
4. The State Health Society, Bihar having its office at Parivar Kalyan Bhawan, Sheikhpura, Patna through its Executive Director.
5. The Executive Director, the State Health Society, Bihar Parivar Kalyan Bhawan, Sheikhpura, Patna.
6. The Bihar Health Security Society, through the Chief Executive Officer, New Annexy Building, Old Secretariat, Patna. Bihar.
7. The Chief Administrative Officer, Swasthya Suraksha Samiti, New Annexy Building, Old Secretariat, Patna. Bihar.
8. The Union of India through the Ministry of Health and Family Welfare (R.S.B.Y. Division), Room No. 424C, Nirman Bhawan, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durgesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Shantanu Kumar, Advocate
		Mr. Mujtabaul Haque, GP-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 24-01-2022 The matter has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.



The petitioner is seeking following relief :-

“For issuance of an appropriate writ/order or direction commanding the respondent authorities especially the State Health Society and Bihar Swasthya Suraksha Samiti at Patna to pay an amount of Rs. 48,09,53,497/- being the due premium payable to the petitioner company by the State Government as well as the Central Government (to be paid through the State Government), i.e., the respondents. Total; premium payable stands at Rs. 59,11,19,146/- out of which Rs. 62,928,159/- has already been paid and rest is still payable to the petitioner. The amount due is for the Health Insurance Cover provided by the petitioner company to the beneficiary family units in the districts of the State of Bihar under the Rastriya Swasthya Bima Yojana (hereinafter referred to as the RSBY/ Scheme) during the policy period 01.03.2015-31.03.2017.”

The petitioner's claim is based on an agreement between the Government of Bihar and the Company under *Rastriya Swasthya Bima Yojana*. A copy of the agreement has been brought on record by way of Annexure-1 to the writ application, Clause-20 of which deals with grievance redressal arising out of the said agreement. Clause 20.3D deals with grievance against State Nodal Agency/ State Government.



Considering the submissions advanced on behalf of the petitioner and the State of Bihar, State Health Society, Bihar and Bihar *Swasthya Suraksha Samiti*, this application is disposed of with a liberty to the petitioner to invoke the said grievance redressal mechanism as provided under Clause 20.3D of the agreement or before any other forum in accordance with law.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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