

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14461 of 2019

Dr. Rakesh Kumar Singh Son of Sri Sitaram Singh Resident of Village Harpur, P.S. Goriakothi, District Siwan, proprietor M/s Arihant Eye Hospital situated at Village Harpur, P.S. Goriakothi, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare, Patna.
2. The State Nodal Authority, Rashtriya Swasthya Bima Yojana cum Executive Director, Bihar State Health Society, Patna, Bihar.
3. The District Key Manager cum Deputy Development Commissioner, Gopalganj.
4. Reliance General Insurance Company Ltd., a company registered under the Companies Act having its registered office at 570, Rectifier House, Naigum Cross Road, Wadala (W), Mumbai.
5. The District Magistrate cum Chairman, District Core Committee, RSBY, Gopalganj.
6. The Additional District Key Manager, RSBY cum Additional Chief Medical Officer, Gopalganj.
7. The Union of India through the Secretary, Ministry of Health and Family Welfare, Government of India, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shakti Suman Kumar, Advocate
For the State	:	Mr. Anil Kumar Verma, AC to AAG 9
For the State Health	:	Mr. K.K.Sinha, Advocate
For the Insurance	:	Mr. Durgesh Kumar Singh, Advocate
For the Union of India	:	M/s Awadhesh Kumar Pandey, Sr. Panel Counsel Saket Anand Komal Chowbey, Advocates

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-12-2022

Heard learned counsel for the parties.

The petitioner has prayed for the following relief(s):-

“i. An appropriate writ in the nature of



Mandamus for direction/directions to the respondents to make payment of the outstanding amount of Rs. 18,93,738/- (Rupees Eighteen Lac Ninety Three Thousand and Seven Hundred Thirty Eight only) with due interest for treatment provided by the petitioner's Hospital having code no. 10015036 under Rashtriya Swasthya Bima Yojana (herein after referred to as RSBY), to the persons under below poverty line holding smart card issued by the competent authorities.

ii. Any other writ/writs, order/orders or direction/directions as the facts and circumstances of the case may require and deemed fit by this Hon'ble Court may also be issued.”

We are informed that vide notification dated 2nd of March, 2022, the State Grievance Redressal Committee (S.G.R.C.) stands constituted.

In this view of the matter, it is always open for the petitioner to invoke Clause 14 (page 40) of the agreement dated 14th of April, 2015 entered into between the petitioner and the Reliance General Insurance Company Limited.

We are sure that as and when any such request is made, the same shall be dealt with expeditiously in accordance with law.

Also, material required by the petitioner shall be



supplied by the respondents for which, direction shall be obtained from the authorities referred to in the said Clause etc.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-PKP

AFR/NAFR	
CAV DATE	
Uploading Date	07.12.2022
Transmission Date	

