

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.455 of 2020

Dr. Nita Jha, W/o Late Dr. Manoranjan Jha, proprietor of R.M. Hospital and Research Center, Alkapuri, P.O. and P.S.- Gardanibagh, Patna - 1, Resident of Flat No. 203, Aranya Balbhardra Apartment, P.S.- Budha Colony, Patna-800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Health New Secretariat, Patna- 1.
2. Executive Director, State Health Society Bihar, Sheikhpura Patna- 1.
3. Chairman, Rastriya Swastha Bima Yojna, State Health Society Bihar, Sheikhpura Patna- 1.
4. United India Insurance Co. Ltd., 3rd Floor, Chankaya Tower, Birchand Patel Marg, Patna- 800001.
5. MD India Health Care Service (TPA) Pvt Limited, S.No. 46/1, E-Space A-Wing iii Floor Pune Nagar Road, Vadogaosheri- Pune - 411014.
6. CholaMandalamMS General Insurance, Dara House, 2nd Floor, No. 234 Road Bose NSC, Bose Rod, Chennai 600001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijoy Nandan Sahay, Adv
For the Respondent/s : Mr.Binod Kumar Yadav (SC18)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-09-2022

Heard learned counsel for the parties.

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

1. That, this is an application for issuance of appropriate order, writ or direction on the respondents to pay the bill amount of the petitioner for the work done under Rasthya Swastth Bima Yojna of respondent no 1 & 2 through

the Respondent no 4 which is an insurance agency responsible for work done under Jehanabad district and responded no 5 IRDA licensed "Third party Administrator" for implementation of Rasthya Swasth Bima Yojna, for BPL people under United India Insurance Company Respondent no 4, a joint venture of Central Government and State government, for the period 2011 and 2012 for 116 cases to whom the Medical facility were given to the BPL category of Jehanabad district under memorandum of understanding amounting to Rs 993, 750 /(nine lakhs ninety three thousand seven hundred fifty only) is the pending claims on the respondent no 4 who has not paid the amount to the petitioner and is liable to pay the said amount with interest.

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, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate

proceedings.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA