

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.984 of 2020

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Binod Kumar Agrawal, Son of Late Bishwanath Agrawal, Proprietor Shanti Enterprises, R/o Mohalla-A.N. Path, Plot No.-201, Raghunandan Lok, Kadamkuan, Patna-800 003.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Health Medical Education and Family Welfare, Govt. of Bihar, Patna.
2. A.N. Magadh Medical College, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dudh Nath Singh, Advocate
For the Respondent/s : Mr.Pankaj Kumar (SC-12)

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

Date : 06-09-2022

Heard learned counsel for the parties.

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

i For issuance of direction/
directions, order/ orders, writ/
writs particularly in the nature of

mandamus for commanding and directing the respondents to make payment of admitted dues of Rs. 9,61,345/- (Nine Lakhs Sixty one thousand three hundred forty five only) with interest @ 10% per annum after admissible dues on from the date of unauthorized/wrongful withholding.

For issuance of direction or order or appropriate writ to respondents to give any other relief to which the petitioner is legally entitled and further comes from this case.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. **respondent no. 1, the State of Bihar through its Secretary, Department of Health Medical Education and Family Welfare, Govt. of Bihar, Patna** or any of the statutory authority to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority

concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(e) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(f) We are hopeful that as and when petitioner takes

recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(g) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(h) We have not expressed any opinion on merits. All issues are left open;

(i) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	