

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1446 of 2020

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1. Raushan Kumar, Male, aged about 31 years, Son of Lallu Mandal R/o Village + P.O.- Partapur, P.S.- Belsand, District- Sitamarhi.
 2. Ravi Shankar Singh, Male, aged about 33 years, Son of Sri Om Prakash Singh R/o Mohalla- Mela Road, Lohia Nagar, Ward No.20, P.S.- Sitamarhi Town, District- Sitamarhi.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Health Deptt., Govt. of Bihar, Patna.
2. The Director, Health Services, Govt. of Bihar, Patna.
3. The Executive Director, Bihar State Health Society, Sheikhpura, Patna.
4. The Civil Surgeon-cum-Member Secretary, District Health Society, Sadar Hospital Campus, Sitamarhi.
5. The Incharge Medical Officer, Primary Health Centre, Belsand, Sitamarhi.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Tejendra Sinha, Adv.
For the State	:	Mr. Vasant Vikash, AC to GP 12
For the State Health Society	:	Mr. K.K. Sinha with Mr. Shashi Shekhar, Advocates.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-09-2022 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar State Health Society.

It is admitted by the petitioners that for the same cause of action, they have moved this Court earlier, whereupon, the order was passed on 01.05.2018, in C.W.J.C. No. 17825 of 2017, which reads as follows:-

“After some arguments, the learned counsel for the petitioners, faced with the issue



of maintainability, seeks to withdraw the present petition with liberty to approach appropriate forum. The writ petition is disposed of as withdraw.”

The said order has not been assailed by the petitioners in Intra Court Appeal. Knowing fully well that their petition is not maintainable which is apparent from the order dated 01.05.2018, passed in the earlier writ proceedings. For the same relief, another writ petition has been filed.

This Court would observe that for resorting to such frivolous litigation, the petitioners, *prima facie* should be saddled with some cost.

The writ application, however, is dismissed without any order as to cost.

(Madhuresh Prasad, J)

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