

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1846 of 2020

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Khushbu Kumari, wife of Deepu Kumar, Village- Bhaisawan, P.S.- Masaurhi,
District- Patna.

... .. Petitioner/s

Versus

1. State of Bihar, through its Chief Secretary, Government of Bihar, Main Secretariat, Patna- 800015.
2. Principal Secretary, Department of Health, Government of Bihar, 1st Floor, Vikas Bhavan, Bailey Road, Patna.
3. The District Magistrate, patna.
4. The Chief Medical Officer-cum-Civil Surgeon, patna.
5. The In-charge Medical Officer, Sub- Divisional Hospital, Masaurhi, Patna.
6. The In-charge Medical Officer, District Health Society, Patna.
7. The Executive Director, State Health Society, Bihar Sheikhpura, Patna.
8. The Union of India through Secretary, Department of Health and Family Welfare, new Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Akash Keshav, Adv.
For the Respondent/s	:	Mr.Pankaj Kumar (Sc12)
For the Respondent No. 7:		Mr. K.K. Sinha, Adv.
		Mr. Shashi Shekhar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2022 The present petition has been filed seeking the following reliefs:-

“I. To issue a writ in the nature of mandamus directing the respondents to setup an independent inquiry committee of the officials of other hospitals to conduct an enquiry about the cause of death of the child (stillborn) and negligence on the part of health care providers as per the guidelines framed under the National Rural Health Mission (NRHM)/ National Health Mission and various



guidelines under Ministry of Health and Family Welfare.

II. To issue a writ in the nature of mandamus directing the respondents to produce child birth review report before this Hon'ble Court.

III. To issue a writ in the nature of mandamus directing the respondents to pay the out of pocket expenditure incurred to the petitioner with respect to her delivery in a private hospital because of denial from the Govt. health centre which was in violation of the Janani Shishu Suraksha Karayakram (JSSK) 2011 scheme.

IV. To issue a writ in the nature of mandamus directing the respondents to produce the death summary report of the stillborn staging the reason of the death.

V. To issue a writ in the nature of mandamus directing the respondents to pay the petitioner cash assistance under Janani Suraksha Yojana (JSY) Scheme, 2005.

VI. To compensate the mother with cash assistance of 20,00,000/- (20 lakhs) for the denial of emergency maternal health care service by the govt. health centre and for the mental pain and agony caused to her and the family due to loss of life of the child which could have been prevented.”

At the outset, the learned counsel for the petitioner



seeks liberty on behalf of the petitioner to approach the competent authority of the Respondent State for redressal of her aforesaid grievances. Liberty so sought is granted.

The writ petition stands disposed of.

(Mohit Kumar Shah, J)

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