

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3933 of 2023

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Arvind Jha Son of Sri Shyam Sundar Jha, Resident of Mohalla- 5A/61, Laxmi Sagar, Mukhiyaji Pokhar, Road No. 5, P.S.- University, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum- Secretary, State Commercial Tax (Rajya- Kar), Bihar, Patna.
2. The Joint Commissioner (In- charge), State Commercial Tax, Gopalganj Circle, Gopalganj.
3. The Additional Commissioner, State Commercial Tax, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms.Tanuja Kumari Mishra, Adv
For the Respondent/s : Mr.Ajay Kumar, Ac to GP-4

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-08-2023 1. The petitioner was treated for some spinal surgery and has submitted a claim of Rs. 4,46,312/- (Four lac Forty six thousand Three hundred and Twelve) as per Annexure-3 to the writ petition.

2. On going through the bills submitted by the petitioner, it is a specific stand of the respondent in the counter-affidavit that after granting a concession of Rs. 23,290/- (Twenty three thousand Two hundred ninety), the hospital raised a bill of Rs. 3,65,936/- (Three lac Sixty five thousand Nine hundred and Thirty six) and the petitioner has paid some advance of Rs. 25,000/- (Twenty Five thousand) and also incurred outdoor treatment of Rs. 5,348/- (Five thousand Three



hundred Forty eight), which are duly supported by bills. The total amount arrived at on the basis of bills therefore is Rs. 3,96,284/- (Three lac Ninety six thousand Two hundred and Eighty four). The total amount, Rs. 3,96,284/- (Three Lac Ninety Six thousand Two hundred and Eighty four) has been sanctioned by the authorities based on the bill submitted by the petitioner in respect of his treatment at Bhagwan Mahaveer Jain Hospital, Bengaluru. The petitioner was suffering from infection in LS SI spine.

3. The learned counsel for the petitioner submits that the total amounts incurred over the treatment have not been sanctioned.

4. It is submitted by the learned counsel for the State placing reliance on letters dated 8-11-2022 (Annexure-D) and 10-5-2023 (Annexure-E) issued by the respondent authority, to the petitioner calling upon him to reconcile the amounts in respect of which the bill has been submitted with the receipts in support of the bill. If he desires any amount in excess of Rs. 3,96,284/- (Three lac Ninety six thousand Two hundred and Eighty four), he would be required to substantiate the claim with receipts/bills.

5. The petitioner should respond to the



communications and submit the receipts/bills in support of his claim before the Respondent No. 2 and avail the reimbursement as per his claim. Before submitting his claim in terms of Annexures- D and E, it would be open to the petitioner to receive the amount of Rs. 3,96,284/ (Three lac Ninety six thousand Two hundred and Eighty four), which the respondents have agreed to pay.

6. The petitioner's counsel submits that the petitioner would be approaching the respondent No. 2 within two weeks.

7. If the same is done, it is needless to say that the issue being of medical reimbursement, appropriate order is to be passed with reference to the petitioner's additional claim by a reasoned and speaking order within 8 weeks thereafter and ensure payment of amount found due and admissible within the same period.

8. Writ petition is disposed of.

(Madhuresh Prasad, J)

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