

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18406 of 2021

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Rajnish Kumar @ Rajnish Kumar Tiwari, S/o Uday Tiwari, resident of Village - Rajpur, Post Office and Police Station - Bihta, District - Patna (Bihar).

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Health and Family Welfare Department.
2. The Principal Secretary, Ministry of Health and Family Welfare Department, Government of India.
3. The State of Bihar through the Chief Secretary, Government of Bihar.
4. The Additional Chief Secretary, Health Department, Government of Bihar.
5. The District Magistrate, Patna.
6. The Chief Medical Officer, Patna.
7. The Managing Director, the Hospital Services Consultancy Corporation (India) Limited, Noida.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar, Advocate
For the State	:	Mr. P.K. Shahi, AG
		Mr. S.D. Yadav, AAG 9
		Mr. Nagindra Kumar, AC to AAG 9
For the UOI	:	Mrs. Punam Kumari Singh, CGC

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

9 14-02-2023 In compliance with the Court's order dated 13.02.2023, the Secretary, Department of Health, Government of Bihar and the District Magistrate, Patna are personally present.

2. This writ application, in the nature of Public Interest Litigation, has been filed seeking a direction to the



respondents to make Model Highway Trauma Centre, Bikram, Patna, functional by posting specialised doctors, trained Lab Technicians and other staff.

3. It is the petitioner's case that a Trauma Centre is already there, which is not functional because of the lack of human resources and other infrastructure.

4. Learned counsel for the petitioner has submitted that the said Trauma Centre was established under a Pilot Scheme for strengthening the emergency services in government hospitals during the 10th Five Year Plan and a financial assistance of Rs. 1.5 Crore was provided to Bikram Referral Centre, Patna. It is also the petitioner's case that the State Government of Bihar had informed the Central Government that a six-bedded Trauma Centre at Bikram, Patna had already been constructed in 2004. Learned counsel for the petitioner has submitted that certain guidelines have been issued by the Supreme Court in this connection.

5. Mr. P.K. Shahi, learned Advocate General, Bihar has submitted that after 2004, significant developments have taken place in and around Bikram. An All India Institute of Medical Sciences, Patna has been established and further there is another Medical College established recently by the



Employees State Insurance Corporation (ESIC) at Bihta.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the State of Bihar, we dispose of this writ application with a direction to the Additional Chief Secretary, Department of Health, Government of Bihar to look into the issues which have been raised in the present writ application and take appropriate decision for making functional the Trauma Center, if required. The petitioner shall be at liberty to provide the decisions of the Supreme Court by way of representation addressed to the Additional Chief Secretary, Department of Health, Government of Bihar.

7. Personal attendance of the Additional Chief Secretary, Department of Health, Government of Bihar and the District Magistrate, Patna stands dispensed with.

(Chakradhari Sharan Singh, ACJ)

(Madhuresh Prasad, J)

Rajesh/Nishant-

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