

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12070 of 2023

Dr. Umesh Kumar Son of Shri Bhagwan Das, The resident of Mohalla -
Nawada Chowk Ara, P.S. Nawada, District - Bhojpur, Pin Code - 802301.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Department of Health, Patna.
2. The Additional Chief Secretary, Department of Health, Patna.
3. The District Magistrate, Bhojpur, Ara.
4. The Civil Surgeon, Bhojpur cum Chief Medical Officer, Bhojpur, Arrah.
5. Additional Chief Medical Officer, Bhojpur.
6. Block Development Officer, Sadar, Arrah

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satyabir Bharti, Adv. Ms. Sushmita Sharma, Adv. Mr. Abhishek Anand, Adv. Ms. Kanu Priya, Adv.
For the State	:	Mr. Ramadhar Singh (Gp25) Mr. Upendra Pal Singh, AC ot GP-25

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 05-09-2023 1. The present writ petition has been filed for the
following reliefs:-

*"i. Issuance of a Writ of Mandamus,
directing the respondents to forthwith unseal the
ultrasound clinic operated by the petitioner in
the name and style of M/S Ultra Sound Clinic,
Nawada Chowk, Ara, which in a procedure
unknown to law, has been sealed by the
respondent authorities, without any rhyme or
reason;*

*ii. Impose exemplary cost on the
respondents and award compensation to the*



petitioner for cause wrongful loss and injury to the petitioner;"

2. Learned counsel for the petitioner has stated that the petitioner was out of station from 13.05.2023 till 29.05.2023 yet the authorities have sealed the premises of the petitioner on 20.05.2023 on the ground that the doctor (the petitioner) was not present and the chambers of the doctor was also closed. Thereafter, the petitioner has made a representation to the 3rd and 4th respondent herein for unsealing the premises.

3. Pursuant to the representation made by the petitioner, the Additional Chief Medical Officer vide report dated 03.08.2023 has sent a report to the 4th respondent reiterating the facts mentioned by the petitioner and recommended for unsealing the premises.

4. Learned counsel has stated that even though the said report was sent on 03.08.2023, the 4th respondent is yet to pass any orders for unsealing the premises of the petitioner. Therefore, the petitioner has prayed the Court to issue a direction to the 4th respondent to pass necessary order for unsealing the premises in question.

5. Without going into the merits or demerits of the case, having regard to the representation made by the petitioner



to the 4th respondent, the 4th respondent is directed to pass necessary orders on the representation of the petitioner duly taking into consideration the report of the Additional Chief Medical Officer dated 03.08.2023 and also the fact that the petitioner was not in the country from 13.05.2023 till 29.05.2023. The orders shall be passed as expeditiously as possible preferably within a period of two weeks from the date of receipt of the copy of this order. Copy of the order shall be communicated to the party.

(A. Abhishek Reddy , J)

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