

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.301 of 2022

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1. Mukesh Kumar Son of Devendra Prasad Srivastav Behind Dinesh Bhawan, Balughat, P.S. Muzaffarpur Town, District- Muzaffarpur.
 2. Sant Kumar Son of Jugal Paswan Resident of Mohalla- Mithanpura, P.O.- Bhikhanpr, P.S.- Mithanpra, District- Muzaffarpur.
 3. Chandra Kishor Parashar @ Acharya Chandra Kishore Parashar Son of Late Ram Bahadur Parashar Resident of Senapati Bhawan, Parashar Colony, New Area, Sikandarpur, P.S. Muzaffarpur Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Muzaffarpur, District- Muzaffarpur.
6. The Senior Superintendent of Police, Muzaffarpur, District- Muzaffarpur.
7. The Civil Surgeon-cum-Chief Medical Officer, Muzaffarpur, District- Muzaffarpur.
8. Muzaffarpur Eye Hospital, Muzaffarpur through its Director.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate Mr. Abhinav Shandilya, Advocate Mr. Ashish Giri, Amicus Curiae
For the Respondent/s	:	Mr. Bishwa Bibhuti Kumar Singh, AC to AG Ms. Parul Prasad, Advocate Mr. Mohit Agrawal, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-07-2023

The above writ petition highlighted the mishap that occurred in Muzaffarpur Eye Hospital, Juna Chapra, Muzaffarpur, wherein several persons who carried out a



treatment procedure in their eyes lost their vision. This Court had appointed Shri Ashish Giri as *Amicus Curiae*. The *Amicus* informed us that, as of now the persons identified have been given compensation by the State Government and there is also an F.I.R. registered against the management personnel of the hospital. As of now, nothing further has to be done in the writ petition.

2. We, however, leave open the remedy of the affected parties to approach the Civil Court or the Consumer Court for damages in accordance with law.

3. We close the writ petition with the above reservation.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

AFR/NAFR	
CAV DATE	
Uploading Date	31.07.2023
Transmission Date	

