

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23720 of 2019

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1. Shyama Clinic Situated at Mohalla- Bhavdepur, Near Sadar Hospital, P.S. and District- Sitamarhi through its Manager, namely, Nishant Deep, aged about 28 years (male) Son of Late Dineshwar Prasad Yadav, R/o Village and Post- Chakmahila, District- Sitamarhi.
 2. Nishant Deep, manager of Shyama Clinic, aged about 28 years (male) Son of Late Dineshwar Prasad Yadav, R/o Village and Post- Chakmahila, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The Chief Medical Officer-cum-Civil Surgeon, Sitamarhi.
5. The Deputy Superintendent, Sadar Hospital, Sitamarhi.
6. The Sub-Divisional Officer, Sadar, Sitamarhi.
7. The Block Development Officer, Dumra, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Respondent/s : Dr. K. N. Singh, A.S.G.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 09-01-2023 Heard learned counsel for the parties.

The petitioners have prayed for the following
relief/s :-



- (i) For issuance of a writ in the nature of Mandamus directing the concerned Respondent Authorities to act as per the Bihar Clinical Rule, 2013 and unseal the Clinic of the petitioner namely, Shyama Clinic which has been sealed on 10.06.2019 in spite of repeated recommendation by the Chief Medical Officer-cum-Civil Surgeon, Sitamarhi (respondent no. 4) the clinic is not being unsealed which is causing financial loss to the petitioners and inconvenience to the local patients who have been visiting the clinic;
- (ii) For further directing the concerned respondent authorities to issue the registration certificate in favour of the petitioners clinic forthwith which has not been issued for no fault of the petitioners;
- (iii) Further for issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioner is entitled to in the facts and circumstances of the case.

Learned counsel for the petitioners states that part of the surviving grievances stands redressed. Insofar as the other grievances are concerned, petitioners be permitted to withdraw the present petition with liberty to take appropriate steps in accordance with law.

Permission granted.

As such, the present petition stands disposed of as withdrawn having become infructuous with liberty aforesaid.



Interlocutory application, if any, also stands disposed
of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/-

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