

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1017 of 2023

In
Civil Writ Jurisdiction Case No.13933 of 2022

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SBG Health Care through its proprietor Ravi Shankar Prasad Gupta, Aged about 49 years, Gender- male, Son of Mithilesh Prasad Gupta, Resident of Mohalla- Dr. Azazi Marg, Jawahar Lal Road, Police Station- Barhanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Amir Subhani, Father's Name Not Known to the Petitioner, the Chief Secretary, Government of Bihar, Patna.
2. Pratay Amrit, father's name Not Known to the Petitioner, The Principal Secretary, Department of Health Government of Bihar old Secretariat Patna- 800001.
3. Dinesh Singh, father's name not Known to the Petitioner, The Managing Director, Bihar Medical Services and Infrastructure Corporation Ltd. (BMSICL) 4th Floor, State Building Constructing Corporation Hospital Road, Shastri Nagar, Patna- 800023.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Vikash Kumar, Advocate
		Mr. Ayush Kumar, Advocate
		Mr. Kanishka Shailender, Advocate
For the State	:	Ms. Shweta Anand, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 20-11-2024

The present M.J.C. is filed for non-compliance of order dated 16.09.2022 passed in C.W.J.C. No. 13933 of 2022.

2. Perusal of the Show-Cause filed on behalf of concerned Respondent, it is evident that Respondent No.3 has complied direction (i) of page-9 of order dated 16.09.2022



insofar as examining the claim of the petitioner and settled certain monetary benefit on 20.12.2022, such exercise should have been taken by the 3rd Respondent on or before 15.11.2022, the date on which two months have lapsed. Therefore, decision of the 3rd Respondent insofar as settling certain monetary dues was belated and beyond the time stipulated by co-ordinate Bench. Accordingly, 3rd Respondent is hereby directed to pay cost of Rs. 5000/- (Rs. Five Thousand) for belated settlement of certain monetary benefits in terms of directions in C.W.J.C. No. 13933 of 2022.

3. Learned counsel for the petitioner, on instruction, submitted that Respondents have not made payment in full. It is to be noted co-ordinate Bench in its order dated 16.09.2022 has not determined what are the amounts which are due to the petitioner. There is only general direction to the extent of 3rd Respondent to examine petitioner's case and settle his dues. In the absence of any specific amount mentioned by the co-ordinate Bench, the aforementioned contention of the petitioner to the extent that 3rd Respondent has paid partial amount is not acceptable.

4. Accordingly, the present M.J.C./contempt petition stands dropped. Cost of Rs. 5000/- (Rs. Five Thousand)



shall be paid by the Respondent No.3 to the petitioner within a period of one month from today. The petitioner is at liberty to assail the action of the Respondent before the appropriate Forum in accordance with law.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

manish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.11.2024
Transmission Date	NA

