

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8396 of 2024

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Suvendra Dubey @ Shubhendu Dubey S/o Late Amernaath Dubey, Resident of Village-Uttar Rampur, P.O.-Chapor, P.S.-Chakulia, District-Uttar Dinagpur, State-West Bengal.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Health and Family Welfare, Govt. of India having office at Room No. 156-A, A Wing, Nirman Bhawan, New Delhi-110011.
2. The Chairman, National Medical Commission, C/o Ministry of Health and Family Welfare, Government of India, having office at Room No. 156-A, A Wing, Nirman Bhawan, New Delhi-110011.
3. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
4. The Principal Secretary, Home Department, Government of Bihar, Patna.
5. The Principle Secretary, Health Department, Government of Bihar, Patna.
6. The Director General of Police, Bihar, Patna.
7. The District Magistrate, Kishanganj, District-Kishanganj, Bihar.
8. The Superintendent of Police, Kishanganj, Bihar.
9. The S.H.O. Sadar Police Station, Kishanganj, District-Kishanganj, Bihar.
10. Mata Gujri Memorial Medical College and Lions Seva Kendra Hospital at Kishanganj (Bihar) through the Medical Superintendent and/or any competent official, Purabpalli Road, Kishanganj, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar, Adv.
For the UOI	:	Mr.Kanak Verma, CGC
For the State	:	Mr.Rajkishore Roy, GP-18
For the NMC	:	Mr.Kumar Priya Ranjan, Sr. SC
		Mr.Sandeep Kumar, Adv.
		Mr.Vibhuti Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.i. For issuance of appropriate order/orders, direction/directions specially in nature of Certiorari for quashing the order dated



28.06.2022 passed vide Memo No- 895, by the District Magistrate, Kishanganj whereby and whereunder the District Magistrate has not considered the grievances of the petitioner that due to negligence of doctors and Negative Act of other staffs of respondent no- .06, Jhunjhun Baba died.

ii. For issuance of appropriate order/orders, direction/directions in the nature of Certiorari commanding the respondents and their men, agents and assigns to submit all the relevant documents and case records including the recorded statements of the complainant and the witness in the case, if any, before this Hon'ble Court to review the matter complained of.

iii. For issuance of a writ of Mandamus for commanding the respondents to take appropriate action against the erring authorities who despite several representations/petitions could not take any action to restrain respondents from illegalities being done.”

2. At the outset, the learned counsel for the petitioner fairly admits that the petitioner has in fact approached a wrong authority for redressal of his aforesaid grievances, i.e. the District Magistrate, Kishanganj, hence the petitioner be granted liberty to approach either the State Medical Council or the appropriate Forum/Commission, created under the Consumer



Protection Act, 2019, for redressal of his aforesaid grievances, however, the order dated 28.06.2022, passed by the District Magistrate, Kishanganj, be directed not to create any prejudice to the case of the petitioner. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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