

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17795 of 2023

Vikash Chandra @ Guddu Baba S/o Late Ramashraya Prasad, Resident of Mohalla- Indrapuri, Road No. 12, House No.- 39, P.O.- Keshari Nagar, P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Union of India, represented by Ministry of Health and Family Welfare through its Secretary, Govt. of India, New Delhi.
4. The Secretary, Ministry of Health and Family Welfare, Govt. of India, Nariman Bhawan, New Delhi, Chanakyapuri- 110011.
5. The Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
6. Director-in-Chief (Administration), Health Services, Govt. of Bihar, Patna.
7. The Divisional Commissioner, Muzaffarpur.
8. The District Magistrate, Muzaffarpur.
9. The Principal, Shri Krishna Medical College and Hospital Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vikash Chandra @ Guddu Baba (In Person)
For the Respondent/s : Mr.P.K. Shahi, A.G.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-01-2024

The above writ petition is one filed by an individual, who appears in-person. The prayer in the writ petition is as follows:-

“(i) To make operational Super Speciality Hospital at Shri Krishna Medical College & Hospital, Muzaffarpur for upgradation thereof under the scheme, namely, ‘Pradhan Mantri



Swasthya Suraksha Yojana, Phase-III.”

2. The petitioner contends that the people of Muzaffarpur are deprived of a Super Speciality Hospital and that in such circumstances, seeks the above relief. He claims that he has a spirit for the welfare of public interest and that he has performed numerous acts of benevolence with judicial help for welfare of the public.

3. However, we find that the above writ petition is totally misconceived and lacks any reasonable grounds for this Court to proceed with. The petitioner has produced some photographs on which he seeks the reliefs; which photographs he submits, he took in the course of his visit to Muzaffarpur, being curious to know as to why the work of the Shri Krishna Medical College & Hospital was prevented. The petitioner also says that the work has been pending for 3-4 years.

4. The photographs produced by the petitioner itself show that construction is underway and the Ministry of Health and Family Welfare, Government of India is the awarder of the work. The work is also stated to be under the Pradhan Mantri Swasthya Suraksha Yojna, Phase-III. The name of the project consultant and the contractor is also specified in the Board, both of whom have not been impleaded.



5. We also notice that there is an averment in the writ petition that the petitioner saw “giant medical equipments and machines” packed and lying in the ground floor of the building, open to the sky. The photograph produced is Annexure-2, which does not indicate any hospital equipments having been kept unattended. In fact, the black and white photograph, though unclear, show construction materials being kept in the building wherein construction is on-going.

6. This Court cannot but express its deep anguish in the manner in which the public interest litigation was filed without any substantiating material and casually on taking a few photographs. Even a public interest litigation filed should be with some responsibility and with substantiating material after conducting an inquiry into the matter. The practice of taking up cudgels against the government and its authorities on mere apprehension and casting aspersions which are not substantiated, is in the nature of a publicity induced litigation and not actually in public interest. We record our disapproval in the strongest terms and caution the petitioner, who is regularly in this court with public interest litigations, from overstepping limits and taking alleged public causes in a casual manner. This time, we restrain ourselves from imposing any cost on the



petitioner.

7. The writ petition would stand dismissed.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	09.01.2024
Transmission Date	

