

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.279 of 2024

Nirotpal Mrinal @ Sumit Kumar Son of Harisharan Sharma, resident of Flat no. D-111, Swawalambi Apartment, Daud Bigha, Kankarbagh Main Road, Patna- 800026.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary/ Additional Chief Secretary, Department of Health.
2. The Principal Secretary /Additional Chief Secretary , Department of Health, Government of Bihar, Secretariat, Patna.
3. Civil Surgeon, Patna District Hospital, Patna.
4. DISHA (Deaddiction-cum-Rehabilitation Centre) through its Director Centre)., House no. 26 A, Road No. 3, Maharani Guest House Road, Near Sahyog Hospital, Patliputra Colony, Patna -13.
5. YMNA, Patna Branch Resident at -House No. 26-A, Road No. 3, Maharani Guest House Road, Near Sahyog Hospital, Patliputra Colony, Patna -800013.
6. Director, DiISHA Centre Resident at -House No. 26-A, Road No. 3, Maharani Guest House Road, Near Sahyog Hospital, Patliputra Colony, Patna -800013.
7. Mrs. Rakhi Sharma,Administrative Head of DISHA Centre. Resident at -House No. 26-A, Road No. 3, Maharani Guest House Road, Near Sahyog Hospital, Patliputra Colony, Patna -800013.
8. Dr. Rakesh Kumar, consultant doctor at DISHA Centre Resident at -House No. 26-A, Road No. 3, Maharani Guest House Road, Near Sahyog Hospital, Patliputra Colony, Patna -800013.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Koshalendra Rai, Adv.

For the Respondent/s : Mr.Government Pleader 18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER



2 29-04-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). Commanding the Respondent 1st set (respondent no. 1 to 3) to constitute a medical Board to determine whether the petitioner is schizophrenic or not (in view of the petitioner’s stand that he has never been nor is a patient of schizophrenia);

(ii). Command the respondents 2nd set (respondent numbers 4 to 7) to pay damages to the tune of Rs. 25 lakhs or such other amount as this Hon’ble Court deems appropriate for grossly negligent, wrong and mala fide approach by the respondent 2nd set in treating the petitioner and wrongly diagnosing him as schizophrenic.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the appropriate District Consumer Forum for redressal of his aforesaid grievances, however, submits that limitation, if any, be directed to be condoned.

3. Having regard to the submission made by the learned counsel for the petitioner, not opposed by the learned counsel for the Respondent-State, I deem it fit and proper to grant liberty to the petitioner to approach the District Consumer Forum of appropriate jurisdiction for redressal of his aforesaid grievances



and in case appropriate complaint is filed within a period of three weeks from today, the issue of limitation, if any, shall be considered sympathetically.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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