

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2658 of 2014**

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M/s Sanjay Kumar, Proprietor Vinod Kumar Singh, Shanti Nagar, Dumra Road, Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar Rajya Swasth Samiti, Bihar, Patna through its Executive Director
3. District Magistrate, Sitamarhi-Cum-Adhyaksh, Zila Swasth Samiti, Sitamarhi
4. Civil Surgeon-Cum-Secretary, Zila Swasth Samiti, Sitamarhi

... .. Respondent/s

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**Appearance :**

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|--------------------------|---|------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Yogendra Mishra, Advocate<br>Ms. Swati Mishra, Advocate<br>Mr. Binod Kumar, Advocate |
| For the Respondent/s     | : | Mr. Subhash Pd. Singh, Advocate                                                          |
| For State Health Society | : | Mr. K.K. Sinha, Advocate                                                                 |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL JUDGMENT**  
**Date : 25-11-2025**

Heard learned counsel for the parties.

2. An advertisement was published by the respondents in the newspaper inviting quotation from the eligible persons for providing ambulance service under Dial Number- 102 at the rate of Rs. 500/- per day on certain terms and conditions including the terms that Rs. 500/- shall be paid if the ambulance is plied for the purpose of carrying patients. The petitioner was ultimately selected and according to the petitioner, it provided ambulance service at different Primary Health Centres.

3. Learned counsel for the petitioner submits that the



petitioner provided ambulance to 11 Primary Health Centres without any disruption and submitted the bills between the period March, 2010 to February, 2012. The total amount of the bill was Rs. 12 lakhs and odd at the rate of Rs. 500/- per day.

4. Learned counsel appearing for the Bihar State Health Society submits that Rs. 500/- was the maximum amount fixed, subject to movement of the ambulance in terms of Annexure-1. The total amount payable to the petitioner was calculated and found at Rs. 7,67,000/- and that amount has already been transferred to the Civil Surgeon, Sitamarhi for payment to the petitioner in the year 2013 itself.

5. Mr. Yogendra Mishra, learned counsel for the petitioner in reply submits that he has not got the amount towards the service rendered by the petitioner and from perusal of Annexure-A to the counter affidavit filed by Respondent No. 4, it would be evident that a requisition was made by the then Civil Surgeon vide his letter dated 12.06.2019 for allocation of Rs. 12,81,500/- for payment to the petitioner.

6. On the other hand, learned counsel for the State submits that letter dated 12.06.2019 at Annexure-A to the counter affidavit filed by Respondent No. 4 was not the final calculation of the amount payable to the petitioner at the rate



mentioned in Annexure-1, but it is merely a request made to the State Health Society, Bihar for allocation of the fund so that requisite amount can be paid to the petitioner.

7. I have heard learned counsel for the parties and have gone through the materials on record.

8. From perusal of the records, it appears that there is a dispute with regard to the actual amount to be paid to the petitioner, inasmuch as, on the one hand, petitioner is demanding Rs. 12,81,500/-, as per the calculation made by the office of Civil Surgeon, Sitamarhi, on the other hand, the State Health Society, Bihar has calculated the amount at Rs. 7,67,000/-, as per Annexure-1. Accordingly, this Court cannot enter into the disputed question of fact.

9. As such, in the interest of justice, the present writ application is disposed with liberty to the petitioner to file a detailed representation before the Executive Director, Bihar State Health Society within a period of two weeks from today along with all relevant documents, and if such representation is filed, the same shall be decided by the authority by passing a speaking and reasoned order, within a further period of three months from the date of filing the representation, after giving personal hearing to the petitioner as well as the Civil Surgeon,



Sitamarhi.

10. With the aforesaid liberty and direction, the writ application is disposed.

11. Interlocutory Application(s), if any, shall also stand disposed.

**(Anil Kumar Sinha, J)**

P.K.P./-

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