

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1849 of 2026

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Md. Ibrahim, aged about 55 years, male, Son of Late Md. Kasim, Resident of
Village- Bikram (Noniatola), P.S.- Bikram, District- Patna

... .. Petitioner

Versus

1. The State of Bihar , through the Addl. Chief Secretary, Health Department,
Government of Bihar, Patna.
2. The Joint Secretary, Health Department, Government of Bihar, Patna
3. The Director, Health Department, Government of Bihar, Patna
4. The District Magistrate, Patna
5. The Civil Surgeon Cum Chief Medical Officer, Patna
6. The District Health Committee through its Member Secretary, Patna
7. The Incharge Medical Officer, Primary Health Centre, Bikram, Patna

... .. Respondents

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Appearance :

For the Petitioner : None
For the Respondents : Mr. Kumar Manish, SC-05
Mr. Kumar Pankaj, AC to SC-05

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 01-05-2026 None appears for the petitioner.

2. Even though a specific order was passed on the last
date i.e. 10.04.2026 to file reply to the counter affidavit, but no



such reply/rejoinder to the counter affidavit has been filed.

3. In the counter affidavit filed on behalf of Respondent Nos. 2 and 3, duly sworn by Neeraj Kumar, Under Secretary, Health Department, Bihar, Patna, it is stated as follows:

“11. That the Health Department, Govt, of Bihar vide Departmental Letter No. 566 (10) dated 27.02.2026 has requested the Chief General Manager (P), BMSICL, Patna to make available updated status report regarding the present PIL matter, and in pursuance of which, the Chief General Manager (P), BMSICL, Patna vide Letter No.3887 dated 19.03.2026 has made available the status report to the Health Department. Bihar.

12. That from the above status report, the following stand out.

i. Under Bikram Block of Patna district for construction of CHC Bikram. an agreement was executed with the selected contractor vide contract no.117/2021-22 dated 17.01.2022 and for construction of the CMC, Bikram, the Deputy General Manager (P), DMSICL vide Letter No. 6980 dated 22.12.2021 requested the C.S.-cum-C.M.O., Patna to make available a plot for construction of the CHC, Bikram.

In view thereof, Incharge Medical Officer, PHC, Bikram vide Letter No. 226 dated 24.02.2023 made available a plot for construction of CHC, Bikram in the premises of APHC,



Datiyana.

- ii. DGM (P), BMSICL, Patna vide Letter No. 687 dated 27.03.2023 requested the Incharge Medical Officer, PHC, Bikram, Patna to include the building of APHC, Datiyana for construction of CHC, Bikram.*
 - iii. Thereafter, Civil Surgeon-cum-Member Secretary, District Health Society, Patna vide Letter No.818 dated 08.05.2023 directed the Incharge Medical Officer, PHC, Bikram to shift the APHC, Datiyana in a rented house before commencing construction work of CHC, Bikram at Datiyana.*
 - iv. After completion of construction work of CMC, Bikram, Deputy General Manager (P), BMSICL, Patna vide BMSICL's Letter No. 824 dated 11.09.2024 requested construction work of CMC. the Incharge Medical Officer, PHC, Bikram to take over the building and in pursuance thereof building has been handed over and presently, old PHC, Bikram is being run in the new CMC, Bikram Datiyana.*
- 13. That the Civil Surgeon-cum-C.M.O., Patna vide Letter No. 3576 dated 17.03.2026 has also made available to the Health Department. Govt, of Bihar regarding updated status of the CHC, Bikram.*
- 14. That from perusal of the above letter of the C.S.-cum-C.M.O.. Patna dated 17.03.2026 (vide Annex- D). it is manifest that 06 bedded PHC, Bikram has been upgraded as 30 bedded CHC, Bikram and the newly constructed building has also been handed*



over on 08.11.2025 where PHC, Bikram transferred in the CHC, Bikram, which is situated merely at a distance of 3 KM from Bikram NH 139.”

4. In view of the averments made in the counter affidavit, we are of the view that nothing survives in this Public Interest Litigation for adjudication.

5. Accordingly, the writ petition stands disposed of.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

P.K.P./-

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