

(2020) 12 PAT CK 0295

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 24343 Of 2018

Abhishek Dwibedi

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 07-12-2020

Acts Referred:

Citation : (2020) 12 PAT CK 0295

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Ajay Kumar, Lalit Kishore

Final Decision : Disposed Of

Judgement

Heard learned counsel for the parties.

Petitioner has prayed for the following relief:-

(i) for appropriate direction/command upon the respondents to declare the Medical Services as an emergency service in order to ensure zero

interruption in health facilities provided by the state Government to the subject of the State,

(ii) for appropriate direction/command upon the respondents to adopt/install modern and latest scientific method/equipments to monitor and to keep

vigilance over the medical staffs including the doctors at their respective working place and to ensure punctuality at their respective jobs/duties,

(iii) for appropriate direction/command upon the respondents concerned restraining from calling doctors' strike or stop working at Government

Hospitals/ Primary Health Centers, etc. Further, if aggrieved, to mark their proper symbolically such as putting on black ribbon, etc. but not to interrupt

the medical services by abstaining from duties enjoined.

(iv) for declaring the call for strike by the doctors or abstaining from the duties by the medical staffs including the doctors illegal, unethical and violative of rights of the subject of State,

(v) for direction upon the State Government to ensure proper and effective vigilance over the medical staffs including the doctors and restrain from private practice during duty hours.

After the matter was heard for sometime, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the

respondent no. 3, Principal Secretary, Department of Health to consider and decide the representation with respect to issues raised in such representation.

Learned counsel for the respondent states that if such representation is filed before the respondent no. 3 Principal Secretary, Department of Health,

Bihar, Patna, same shall be considered and decided within a period of two months from the date of receipt of such representation in accordance with

law.

Equally liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

Liberty reserved to petitioner to approach the court, if the need so arises subsequently on the same and subsequent cause of action.

The writ petition is accordingly, disposed of.