

(2020) 12 PAT CK 0138

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 7135 Of 2020

Dinesh Kumar Singh

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 16-12-2020

Acts Referred:

Citation : (2020) 12 PAT CK 0138

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

Bench : Division Bench

Advocate : Dinu Kumar, Ritika Rani, Ritu Raj, Sangita Kumari, Lalit Kishore, Vikash Kumar, Dr. K.N. Singh, Ratnesh Kumar, Binay Kumar Pandey

Final Decision : Disposed Of

Judgement

Petitioner has prayed for the following relief(s):

1. (A) For issuance of writ in the nature of mandamus for commanding the State respondents to conduct Rapid Antigen test in short (RAT) Rapid

Antibody Test and molecular test for covid-19 in Bihar free of cost.

(B) For commanding the respondents to conduct the sero survey for covid-19 in Bihar considering abnormal increasing, number of positive corona patients in Patna.

(C) For commanding the respondents to ensure set up blood plasma bank at Patna for covid-19 treatment for the purpose better streaming the process

under which plasma extracted from the blood of corona virus disease covid-19 patients could be administered patient with moderate to serve symptom.

(D) For commanding the respondents to ensure appropriate availability of ventilator beds, oxygen gas cylinder, rapid test kits, Personal protective

equipments (PPE), bed for treatment of covid-19 patient, quarantine center, mask and sanitizer for covid-19 in the state of Bihar free of cost.

(E) For commanding the respondents to ensure safety of people from being infected of covid-19 epidemic disease in the state of Bihar considering in

Bihar Legislative Election, 2020.

(F) For commanding the Principal secretary, Health department to ensure to display of number of ventilator beds, oxygen gas cylinder, bed for

treatment of Covid-19 patients facility available for treatment, name of doctors, medical staffs, bed for treatment of Covid-19 patients as per Clinical

Establishments (Registration and Regulation) Rule, 2013 upto district level in the state of Bihar.

(G) For commanding the respondents concern to increase laboratory testing for corona virus covid-19 in government laboratory and private laboratory

free of the cost considering 12 crore population of state of Bihar.

(H) Also for necessary relief/reliefs order/orders, direction/directions for which the petitioner entitled in the eyes of law.â??

Learned Advocate General states that the matter is now being directly monitored by Honâ??ble the Apex Court and, as such, it would be prudent

that the present proceedings are closed, subject to further orders which may be passed by Honâ??ble the Apex Court in Suo Motu Writ Petition

(Civil) No. 7 of 2020, titled as In Re The Proper Treatment of Covid 19 Patients and Dignified Handling of Dead Bodies in the

Hospitals Etc., in which State has sent for filing an affidavit. The said affidavit deals with the very same issue, subject matter of the present petition.

In view of the statement made by the learned Advocate General, learned counsel for the petitioner prays that the present proceedings be closed

reserving liberty to take appropriate action in accordance with law, including filing a fresh petition, if otherwise permissible in law.

Also he shall, if required, file an appropriate application in the proceedings pending before Honâ??ble the Supreme Court.

The instant petition stands disposed of in the aforesaid terms and liberty.

Interlocutory Application(s), if any, shall sand disposed of.