

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).9341/2010

STATE OF BIHAR & ORS.

Appellant(s)

VERSUS

BIBHA SINGH (DEAD) THR. LRS

Respondent(s)

O R D E R

1. The appellants are represented by Mr. Abhinav Mukerji, learned Counsel. Mr. Sunil Kumar, learned Senior Counsel appears for the respondent.
2. When this case was taken up on 03.08.2023, the following order was passed:-

*"1. This matter pertains to reimbursement of the medical expenses incurred for the treatment of the husband of the respondent. The patient has passed away on 26.01.2005 during the pendency of the appeal. We are told that even the respondent has since passed away on 26.09.2020.*

*2. The Division Bench of the High Court under the 18.03.2008 impugned judgment declared that the respondent is entitled to reimbursement of the medical expenses along with related expenses since the facility of the liver transplantation was not available in India as was opined by the AIIMS, Delhi. This Court has not stayed the High Court judgment and therefore on 26.07.2022, time was granted to the counsel for the State of Bihar as to whether the*

*judgment of the Division Bench of the High Court has been complied with by the appellants or not.*

*3. Today when the case is called out, Mr. Mohit Prasad, learned counsel appears for the appellants, but although the specific query was made by this Court as far back as on 26.07.2022, the State's counsel has no information on whether the entitled amount was disbursed to the claimant. Time was given today in the forenoon to the learned counsel to obtain instructions and he submits that although calls were made, the concerned officer has failed to furnish requisite information.*

*4. This is indeed an unsatisfactory state of affairs. Be that as it may, on the request of the State's counsel, the matter is deferred to 09.08.2023 as the final opportunity to the appellants to take appropriate steps in the matter.*

*5. List again on 09.08.2023."*

4. Thereafter, when the case was next listed on 16.08.2023, Mr. Abhinav Mukerji, learned counsel representing the appellants had informed this Court that sanction is accorded by the Health Department to reimburse the medical expenses, in terms of the order passed by the Division Bench of the High Court on 18.03.2008. Accordingly, this Court directed that disbursement of the amount should be done within six weeks.

5. Subsequent to the above, on 10.10.2023 a sanction letter was issued for reimbursement of the medical cost incurred for treatment of Mr. Dinesh Kumar Singh (husband of the respondent no.1). It is acknowledged by the learned senior counsel for the respondent No.1

that due payments were received, in terms of the sanction ordered on 10.10.2023 and nothing remains unpaid on account of reimbursement for medical treatment.

6. Looking at the above developments, we deem it appropriate to order for closure for the present appeal. However question of law, if any, is left open.

7. With the above order, the appeal is closed.

8. Pending application(s), if any, also stand closed.

.....J.  
[ HRISHIKESH ROY ]

.....J.  
[ PANKAJ MITHAL ]

NEW DELHI;  
NOVEMBER 22, 2023.

ITEM NO.103

COURT NO.7

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).9341/2010

STATE OF BIHAR &amp; ORS.

Appellant(s)

VERSUS

BIBHA SINGH (DEAD) THR. LRS

Respondent(s)

Date : 22-11-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s) Mr. Abhinav Mukerji, AOR  
Ms. Pratishtha Vij, Adv.  
Mrs. Bihu Sharma, Adv.  
Mr. Mohit Prasad, Adv.

For Respondent(s) Mr. Sunil Kumar, Sr. Adv.  
Mr. Santosh Mishra, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is closed in terms of the signed order.

Pending application(s), if any, stand closed.

(DEEPAK JOSHI)  
COURT MASTER (SH)

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR

(Signed Order is placed on the File)