

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25398 of 2019

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Sanjay Printing Works a Partnership Firm, at Rai Jai Krishna Road, Gurhatta, Patna- 800008, through its Partner Sri Nawin Chandra Jaiswal, aged about 61 years, Son of Late Dr. Mathura Prasad Jaiswal.

... .. Petitioner/s

Versus

1. The State of Bihar through Department of Information and Public Relation.
2. The Secretary, Information and Public Relation Department, Govt. of Bihar, Patna.
3. The Director, Information and Public Relation Department, Govt. of Bihar, Patna.
4. The Assistant Director (Publication), Department of Information and Public Relation Department, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Respondent/s : Mr. Prasant Pratap (GP 2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 19-12-2019

The petitioner, which is a partnership firm for printing works, has challenged the order dated 15.10.2019 contained in Memo No. 303 issued under the signature of Secretary, Information and Public Relations Department whereby the petitioner/Firm stands blacklisted till 29.06.2021.

It appears from the records that initially the petitioner/Firm was blacklisted, against which decision, the



petitioner came up before this Court *vide* C.W.J.C. No. 5022 of 2010.

The major ground of challenge against the aforesaid blacklisting was that such embargo was put on the Firm for an indeterminate period. This Court *vide* order dated 05.07.2018 did not disagree with the decision of blacklisting but only took exception to the fact that the period remained indeterminate. For the aforesaid reason, the order of blacklisting dated 19.03.2010 in that instance was quashed and the Secretary, Information and Public Relations Department was directed to take a fresh decision with respect to the period of blacklisting to be imposed upon the petitioner but only after granting an opportunity of hearing to the petitioner.

It appears that the petitioner was heard and a detailed order was passed. It further appears from the impugned order that the period of 19.03.2010 to 25.08.2011 *i.e.* a period of 1 year and 5 months has been taken into consideration, as directed by the bench and the



blacklisting has been made operative till 29.06.2021 by subtracting the aforesaid period from the period of blacklisting.

The learned counsel for the petitioner submits that in the order of this Court dated 05.07.2018, there was an implicit direction that because of the passage of time and the petitioner having already suffered, a decision should be taken which would not be discriminatory. It has further been submitted that a direction had been issued by this Court to pass a final order within a period of three months of the passing of such order but unfortunately the order has been passed after about one year.

Though, there has been considerable delay in disposing of the case of the petitioner with respect to blacklisting but for all this while, the petitioner did not suffer as the order of blacklisting was stayed by this Court.

In this view of the matter, this Court would not take any strong exception to delay in passing of an order under the instructions of this Court.



Since the correctness of the decision of blacklisting has already been tested and has not been interfered with, this Court would also not like to go into the aforesaid question for the present.

There does not appear to be any merit in the petition.

The petition is dismissed.

(Ashutosh Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.12.2019
Transmission Date	

