

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5665 of 2020

Santript Chandra Mehta, aged about 36 years, male, Son of Late Manik Chandra Mehta, Resident of Ashanagar, P.O. Sohsarai, P.S. Sohsarai, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar at Patna.
2. The Food and Consumer Protection Department through its Principal Secretary, Bihar at Patna.
3. The Bihar State Food and Civil Supplies Corporation through its Managing Director, Bihar at Patna.
4. The Managing Director, Bihar State Food and Civil Supplies Corporation, Bihar at Patna.
5. The Deputy General Manager, Bihar State Food and Civil Supplies Corporation, Patna, District-Patna.
6. The General Manager, Bihar State Food and Civil Supplies Corporation, Patna, District-Patna.
7. The General Manager, Public Distribution, Bihar State Food and Civil Supplies Corporation, Bihar at Patna.
8. The Deputy General Manager (Registration), Bihar State Food and Civil Supplies Corporation, Bihar at Patna.
9. The District Transport Committee, Bihar State Food and Civil Supplies Corporation, Vaishali, District Vaishali at Hajipur.
10. The District Magistrate-cum-Chairman, District Transport Committee, Bihar State Food and Civil Supplies Corporation, Vaishali, District Vaishali at Hajipur.
11. The District Magistrate, Vaishali, District Vaishali at Hajipur.
12. The District Manager, Bihar State Food and Civil Supplies Corporation, Vaishali, District Vaishali at Hajipur.
13. The Officer-in-Charge, Town Police Station, District Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Adv. with Mr. Sumeet Kumar Singh, Adv.
For the B.S..F.C. /s	:	Mr. Shailendra Kumar Singh, Adv.
For the State	:	Mr. Nadim Seraj, G.P. 5

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 16-07-2020

Heard Mr. P.K. Shahi, learned Senior counsel



appearing for the petitioner and Mr. Shailendra Kumar Singh, learned counsel appearing for the B.S.F.C. as also the learned counsel appearing for the State.

The main contention of the learned senior counsel for the petitioner is that without affording any opportunity of hearing to the petitioner the Enquiry Committee has passed the impugned order blacklisting him, which is in utter violation of the principles of natural justice.

Learned counsel appearing for the Bihar State Food Corporation Ltd. does not disputes the aforesaid position. He further submits that District Manager had issued notice to him and not the Enquiry Committee.

In this view of the matter, the letter no. 3627 dated 29.04.2020/05.05.2020 as also the letter no. 3854 dated 13.05.2020 are, hereby, quashed to the extent it relates to the petitioner.

Petitioner is directed to appear in person before the Committee on 03.08.2020 and no formal notice is required to be served on him. If after 31.07.2020, the period of Lockdown is extended by the Government, then he shall appear before the Committee through Video Conferencing.

Committee will allow the petitioner to place his



defence and thereafter will give its decision within a period of three months. If the Lockdown period is extended, the proceedings of the Committee will be conducted through Video Conferencing.

It is made clear that after completing the aforementioned formalities, the Committee will be free to take its decision and quashing of the earlier letters will have no effect on the decision to be taken by the Committee.

With the above observations/directions, the writ application stands disposed of.

(Arvind Srivastava, J)

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