

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.75 of 2020

In

Civil Writ Jurisdiction Case No.25398 of 2019

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, Male, Son of Late Dr. Mathura Prasad Jaiswal.

... .. Appellant/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

Appearance :

For the Appellant/s : Mr. Ajay Kumar Sinha, Advocate
Mrs. Manini Jaiswal, Advocate
Mr. Ajit Kumar Sinha, Advocate
Mr. Ajay Prasad, Advocate
Mr. Kaushal Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 22-09-2021

This appeal is directed against order dated 19.12.2019 passed in CWJC No.25398 of 2019 titled as Sanjay Printing Works Vs. The State of Bihar and others by a learned Single Judge of this Court dismissing the writ petition.



We do not find any infirmity/illegality/perversity in the impugned judgment dated 19.12.2019 passed in CWJC No.25398 of 2019 titled as Sanjay Printing Works Vs. The State of Bihar and others, save and except to the extent clarified herein later, more so in view of the principles of law laid down by Hon'ble Apex Court in **Jogendrasinhji Vijaysinghji Vs. State of Gujarat and others, (2015) 9 SCC 1.**

The writ petitioner/appellant herein was blacklisted for participating in the works of the respondent-Department on account of certain illegalities committed in the course of discharge of contractual obligation. The order of black listing was initially passed on 19.03.2010, which the petitioner/appellant assailed and vide judgment dated 05.07.2018 passed in CWJC No.5022 of 2010 titled as Sanjay Printing Works Vs. The State of Bihar and others, the said order was quashed only on account, for the period of black-listing was indeterminate, which led the authority to pass a fresh order dated 15.10.2019, debarring the petitioner/appellant for a period of three years from participating in the works of the Department.

Still aggrieved, petitioner/appellant preferred another writ petition being CWJC No.25398 of 2019 titled as Sanjay Printing Vs. The State of Bihar & Ors which stands



disposed of vide impugned judgment dated 19.12.2019.

We see no reason as to why the order of blacklisting be not affirmed more so for it was never ever interfered with and nothing is on record for us to take a different view. However, insofar as the period of three years is concerned, even though the learned Single Judge has taken note of period of one year and nine months (between 19th March, 2010 to 25th August, 2011) to be taken into consideration in determining the period of three years, which the petitioner/appellant has already suffered, we clarify it to be so.

In this view of the matter, the Letters Patent Appeal stands dismissed.

Interlocutory Application, if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
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