

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 9663 of 2020

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Rajesh Singh Son of Sri Lal Babu Singh, Resident of Village - Agarawa
Motihari, P.S.- Town Motihari, District - East Champaran.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supply Corporation Limited through the Managing Director, Son Bhawan, 5th Floor, Beerchand Patel Path, Patna - 800001.
2. The Managing Director, Bihar State Food and Civil Supply Corporation Limited, Son Bhawan, 5th Floor, Beerchand Patel Path, Patna - 800001.
3. The Officer on Special Duty (T.P.D.S.) Head Quarter, Patna, Bihar State Food and Civil Supply Corporation Limited, Patna.
4. The District Manager, The Bihar State Food and Civil Supply Corporation Limited, East Champaran at Ambedakar Bhawan, Kachahari Chowk, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Arvind Prasad Singh, Advocate
For the Respondent/s : M/s Shailendra Kr Singh, Utkarsha Utpal, Advocates

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CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

2 15-11-2021 Heard learned counsel for the parties.

In the year 2011, the petitioner was appointed as an Agent for transportation -cum – handling of grains by the Bihar State Civil Supplies Corporation Limited (for brevity, *the Corporation*).

This writ petition has been filed in December, 2020 seeking quashing of a Communication dated 17.05.2014 (Annexure 3) whereby the petitioner has been blacklisted by the



Corporation. By the same Communication, another Agent, namely, Shri Radhakrishna Prasad was also blacklisted. It is the petitioner's grievance that subsequently, the name of Shri Radhakrishna Prasad has been removed from blacklist by an office order dated 15.02.2017, issued by the Corporation.

Learned counsel appearing on behalf of the petitioner has submitted that despite representation made by the petitioner for similar treatment, as meted out to Shri Radhakrishna Prasad, the Corporation has not taken any final decision in this regard.

As regards legality of the Communication dated 17.05.2014, whereby the petitioner was blacklisted, we are not inclined to entertain any such challenge in the present proceeding in the absence of any acceptable justification explaining delay of more than six years in approaching this Court.

However, it is settled legal position that an order of blacklisting cannot operate for an indefinite period.

In such circumstance, this application is disposed of with a direction to Respondent No 2 to consider the petitioner's representation claiming parity with the another Agent, namely, Shri Radhakrishna Prasad, in whose respect, the order of blacklisting has been revoked.



The petitioner will be at liberty to make a fresh representation in this regard within four weeks from today before Respondent No 2. If such representation is made, Respondent No 2 shall be obliged to take a final decision within a period of one month thereafter.

The petitioner will also be at liberty to raise his claim for payment against work, already executed by him.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

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