

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10427 of 2020

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Praveen Kumar Son of Mahesh Thakur Resident of Watd No. 31, near Dr.
C.L. Jha Agarwa, P.S. Motihari Sadar, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies, Govt. of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supplies, Govt. of Bihar, Patna.
3. The Bihar State Food and Civil Supplies Corporation Ltd., Bihar, Patna.
4. The District Manager, State Food Corporation, Muzaffarpur.
5. The District Transport Committee, Muzaffarpur through its Chairman.
6. The Collector cum Chairman, District Transport Committee, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajan, Advocate
For the Respondent/s	:	Mr.U.P. Singh, AC to S.C. 4
For B.S.F.C.		Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-11-2021

Petitioner has prayed for the following
relief(s):

“For grant of an appropriate writ
for quashing the resolution of the District
Transport Committee, Muzaffarpur taken
in its meeting held on 01.10.2019 issued
under letter no. 1445 dated 19.10.2019 in



so far as the confiscation of the advance amount of the petitioner and for black listing the petitioner is concerned and for direction to the respondents to refused the advance deposited by the petitioner.”

It is not in dispute that prior to the passing of the impugned order dated 19.10.2019 (Annexure-2), with reference to the petitioner Praveen Kumar, no notice was ever issued, nor was the petitioner ever made aware of the factum of initiation of proceedings, black-listing the petitioner, prohibiting him to participate in the bidding process for future tenders.

The order entails civil consequences. As such, on this short ground alone, the impugned order dated 19.10.2019, insofar as it relates to the petitioner Praveen Kumar, is quashed and set aside, reserving liberty to the authorities to take appropriate action, if so required and desired, in accordance with law. The appropriate authority shall positively take appropriate action in accordance with law within a period of three months, including release of the earnest money deposited by the petitioner, if the proceedings for black-listing are not initiated.



Petition is disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

AFR/NAFR	
CAV DATE	
Uploading Date	18.11.2021
Transmission Date	

