

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17729 of 2019

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Tripurari Kumar Singh Son of Uday Kumar Singh Resident of Village-
Gharaya, Police Station- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar at Patna.
2. The District Magistrate, Gaya.
3. The District Education Officer, Dist- Gaya.
4. The District Program Officer, Mid Day Meal Scheme, Dist- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (AAG 5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-12-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):

“For issuance of appropriate writ/writs,
order/orders and direction/directions to quash the letter
No.562 dated 18.07.2019 issued by the District Program
Officer, Mid Day Meal Scheme, Gaya whereby the
petitioner has been Black listed when he was not



selected bidder under the scheme of Mid Day Meal, Gaya for financial year 2019-21.”

We find the impugned order dated 18.07.2019 passed by District Program Officer, Mid Day Meal Scheme, Gaya (Annexure-2) to be cryptic; endless in time, and to have been passed without compliance of the principles of natural justice. The order of blacklisting for an indefinite period also entails civil and penal consequences.

The respondents have not responded on all these aspects in their counter-affidavit.

As such, order dated 18.07.2019 passed by District Program Officer, Mid Day Meal Scheme, Gaya (Annexure-2) is quashed and set aside with liberty to the respondents to pass a fresh order, in accordance with law.

Petitioner undertakes to fully cooperate in the proceedings. He shall make himself available in the office of respondent No.4, namely, the District Program Officer, Mid Day Meal Scheme, Dist.-Gaya on 26.12.2022 at 10.30 a.m., who shall after affording opportunity of hearing, pass a fresh order, in accordance with law, within a period of two months thereafter.

Petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Saurabh/P.K.P.

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

