

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13800 of 2018

Medipol Pharmaceutical India Private Limited having its registered office at 128/5 Swiss House, Vishwas Nagar, Delhi 110032 and having through its authorized signatory and representative namely Binod Kumar Mandal, Son of Sri Gauri Shankar Mandal Resident of Village- Kendua Lewar, Post Office- Jhajha, Chain, Police Station- Sono, District- Jamui, Bihar, Pin No. 811308

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
2. The Bihar Medical Services and Infrastructure Corporation Limited through its Managing Director, Department of Health, Government of Bihar, 5th Biscomaun Bhawan, Gandhi Maidan, Patna-800001.
3. The Managing Director, the Bihar Medical Services and Infrastructure Corporation Limited through its Managing Director, Department of Health, Government of Bihar, 5th Biscomaun Bhawan, Gandhi Maidan, Patna-800001.
4. The General Manager (F and A), the Bihar Medical Services and Infrastructure Corporation Limited through its Managing Director, Department of Health, Government of Bihar, 5th Biscomaun Bhawan, Gandhi Maidan, Patna-800001.
5. The General Manager (Procurement) the Bihar Medical Services and Infrastructure Corporation Limited through its Managing Director, Department of Health, Government of Bihar, 5th Biscomaun Bhawan, Gandhi Maidan, Patna-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Kamlesh Kishore, AC to SC-12
For the BMSIL	:	Mr. Vikash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA



ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 23-03-2023

None appears for the petitioner.

2. In the instant petition, petitioner has prayed for following reliefs:-

"i) To issue a Writ in the nature of Certiorari for quashing the show cause notice dated 15.06.2018 having been served upon the petitioner on 21.06.2018.

ii) To any other relief or reliefs to which the petitioner is entitled in the facts and circumstances of the case."

3. Petitioner has assailed the show cause notice.

Show cause notice cannot be entertained in the writ petition in the absence of ingredients, like it is in violation of any statute or rules or in the event of issuance of show cause notice by an incompetent authority. Both the ingredients are not forthcoming in the present petition. Therefore, petitioner has not made out a case so as to interfere with the show cause notice.

4. Accordingly, the present petition stands dismissed reserving liberty to the petitioner to file his say on the show cause notice within a period of two weeks from today. Thereafter, the concerned authority is hereby directed to pass speaking order and communicate the same within a



reasonable period of time.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.03.2023
Transmission Date	N.A.

