

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3006 of 2018

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M/s B V G India Limited, A-12 (East of Patel Chok) Vijay Nagar, Rukanpura,
P.O.- BV College, Patna through it's authorized signatory namely Kumud
Kant S/o Ashok Kumar R/o Vill - Banpura, Bihta, Patna - 801103.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Food and Consumer Affairs, Govt. of Bihar Patna.
2. The Secretary, Department of Food and Consumer Affairs, Govt. of Bihar, Patna.
3. The Bihar State Food and Civil Supplies Corporation Ltd. through it's Managing Director having it's office at Khadya Bhawan, Daroga Prasad Rai, R. Block, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Alok Ranjan, AC to AAG-5
For the BSFC	:	Mr. Utpal Utkarsh, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL JUDGMENT

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

Date : 17-03-2023

None appears for the petitioner.

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

"(a) For issuance of a writ of mandamus directing the respondent i.e. Bihar State Food and Civil Supplies Corporation Ltd. (herein after "BSFCSCCL" or "respondent") to put the name of the petitioner i.e. BVG India Limited (herein after "BVG" or "Petitioner") out of the list of companies which have or had ever been blacklisted by the respondent. As the committee which has finally passed order and imposed the penalty of one year blacklisting and forfeiture of security deposit had never allowed BVG to represent itself before it, leading to sheer violation of natural justice.



(b) For issuance of a writ of mandamus directing the respondents i.e. BSFCSCCL, to revoke the order of black listing bearing letter no – 14659 dated 20/12/2016 against the petitioner, *ab initio*. Blacklisting of the petitioner had been imposed arbitrarily without any reasonable cause and it was also held against the terms of tender and the agreement signed between the petitioner and the respondent; as the grounds on which show cause notice has been issued and the grounds for blacklisting were quite different.

(c) For issuance of a writ of mandamus directing the respondent to release the salary of the employees, which the petitioner has already paid to the employees, but the respondent failed to disburse the same on time and later after one month of time lapse, the respondent denied to reimburse the amount under the veil of blacklisting.

(d) For issuance of writ of mandamus directing the respondent to kindly return the earnest money and Bank guarantee forfeited by the BSFCSCCL with the interest.

(e) For any other reliefs as deem fit by this Hon'ble Court in view of the facts and circumstances of this case."

3. During pendency of the present petition the impugned action has already spent it force, therefore the present petition does not survive for consideration. Accordingly, the present petition stands disposed of as it has become infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	25.03.2023
Transmission Date	N.A.

