

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18319 of 2022

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Shri Durga Printing Works C- 201, Rajkishori Complex, Mulchand Path,
Patna- 800020 through its proprietor Shri Pradeep Kumar, aged about 57
years, (Male), Son of Ram Gopal. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Youth Art and Culture Department,
Government of Bihar, Patna.
2. The Secretary, Youth Art and Culture Department, Government of Bihar,
Patna.
3. The Deputy Secretary, Youth Art and Culture Department, Government of
Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikas Kumar, Advocate
For the Respondent/s : Mr. Anant Prasad Singh, SC 15

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 31-01-2023

Petitioner has prayed for the following relief(s):-

- “a. For quashing of office order contained in Memo No. 452 dated 02.06.2021 whereby and where under petitioner has been blacklisted for indefinite period and restrain order was passed from making payment against supply of Annual Report, Budget Bhasan, Pen, Jute Bag with Printing and Notesheet Pad to the Youth Art and Culture Department, Government of Bihar, Patna.
- b. For direction to the respondent authorities to make payment of Rs. 3,31,580/- against supply made for aforesaid material to the Youth Art and Culture Department, Government of Bihar, Patna.
- c. For any other relief/reliefs to which the petitioner may be found entitled to.”



In view of the law laid down by a coordinate Bench of this Court on **1st of December, 2022** in **C.W.J.C. No. 21293 of 2021**, titled as **M/s Ekta Enterprises through its Proprietor Om Prakash Narayan Vs. State of Bihar & Ors.**, we are inclined to quash the impugned order dated 02.6.2021 passed by Respondent No. 3, namely, The Deputy Secretary, Youth Art and Culture Department, Government of Bihar, Patna (Annexure-1) for the reason that there is no specified period for debarment stipulated in the order.

As such, we quash and set aside the impugned order dated 02.6.2021 passed by Respondent No. 3, namely, The Deputy Secretary, Youth Art and Culture Department, Government of Bihar, Patna (Annexure-1) reserving liberty to the respondents to pass a fresh order in accordance with law.

Petitioner shall make himself available in the office of Respondent No. 3, namely, The Deputy Secretary, Youth Art and Culture Department, Government of Bihar, Patna on 15th of February, 2023 at 10:30 A.M. on which date he shall place entire material in support of his contention. The said officer shall consider the same and pass a reasoned and speaking order in accordance with law within a period of two months thereafter.

The order assigning reasons shall be communicated to the petitioner.

Needless to add, while considering the case of the petitioner, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

Also, liberty reserved to the petitioner to approach the Court, should the need so arise subsequently on the same and subsequent cause of action.

The instant petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Prakash/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

