

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18293 of 2023**

M/s XLICT Software Private Limited, a company incorporated and registered under Companies Act, 1956 and having its Registered Office at B-4/C, Tilak Nagar, Dalibagh, Lucknow, Uttar Pradesh- 226001, through its General Manager, Praveen Kumar, aged about- 60 years (Male), S/o Shri Anirudh Ram, Resident of Flat No. 1, 2nd Floor, Natraj Complex, 11 B.N. Road, Lalbagh, Lucknow (U.P.)- 226001

... .. Petitioner/s

Versus

1. The Chancellor, Universities of Bihar, Raj Bhawan, Patna.
2. The Principal Secretary to the Chancellor, Governor's Secretariat, Raj Bhawan, Bihar, Patna.
3. Magadh University, Bodh Gaya, Bihar, through its Registrar.
4. The Vice-Chancellor, Magadh University, Bodh Gaya, Bihar.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                                                           |
|----------------------|---|-----------------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Manoj Priyadarshi, Advocate<br>Mr. Shashank Chandrakar, Advocate<br>Mr. Rahul Kumar, Advocate         |
| For the Chancellor   | : | Mr. Rajiv Ranjan Pandey, Advocate<br>Mr. Rajendra Kumar Giri, Advocate<br>Mr. Siddhartha Prasad, Advocate |
| For the Magadh Univ. | : | Ms. Prakritita Sharma, Advocate                                                                           |

**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE HARISH KUMAR**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 15-03-2024**

The petitioner is only aggrieved with the order issued at Annexure-P/1, which blacklisted the petitioner without any notice. We asked the learned Standing Counsel appearing for the 2<sup>nd</sup> respondent as to whether there was any notice issued. Learned Standing Counsel, however, was attempting to argue on the gravity of the offence with which we are not concerned as of now.



2. The limits of judicial review is very clear and the courts look only at the process of decision making and not the decision itself. There is a clear violation of principles of natural justice since even the counter affidavit admits that no notice was issued.

3. In such circumstances, we set aside Annexure-P/1 dated 15.05.2023, but, however, leaving opportunity to the respondent authority to issue a notice pointing out the allegations against the petitioner and then afford an opportunity for filing a written objection and a reasonable opportunity of hearing, after which a reasoned speaking order should be passed. In fact, we also see that there is absolutely no reason stated in Annexure-P/1 order for blacklisting, which makes it a non-speaking order.

4. The writ petition stands allowed, but, however, reserving the right of the respondents to proceed afresh.

**(K. Vinod Chandran, CJ)**

**(Harish Kumar, J)**

Sujit/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          |            |
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