

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19425 of 2024

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M/s S.S. Prasad and Sons through its Proprietor Reena Devi, aged about 29 years, Female, wife of Sri Sadhu Sharan Prasad, resident of Village-Dasturpar, P.S.-Thartharhi, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda at Biharsharif.
5. The Superintendent of Police, Nalanda at Biharsharif.
6. The Deputy Superintendent of Police, Reserve Police Centre, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate
For the Respondent/s : Mr. P.K.Shahi, A.G.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE NANI TAGIA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-12-2024

The petitioner is aggrieved with Annexure-P/3 order dated 24.10.2024, blacklisting the petitioner forever. The petitioner's contention is only that no show cause notice was issued.

2. The learned Advocate General submits that there is no requirement for a show cause notice since the allegation is clear insofar as mother and son, proprietors of two different



firms, have bid under the same PAN Card and other documents.

3. We are of the opinion that the allegation, whatever it be, and even if it is clear from the records, have to be put to the person before a punitive order is passed, which is the right way of compliance with the principles of natural justice.

4. In such circumstances, we deem Annexure-P/3 as a show cause notice and direct the petitioner to submit his objection within a period of two weeks. The authority shall consider the objection and afford a personal hearing, if the petitioner asks for such a hearing in the objection, and dispose of the matter within two weeks from the date of hearing.

5. We make it clear that we have not made any observation on the merits of the case.

6. Writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Nani Tagia, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	20.12.2024
Transmission Date	

