

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3794 of 2025

Umakant Thakur, Gender – Male, Son of Late Rambilash Singh @ Rambilash Thakur Resident of Village - Indragachhi, Police Station - Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies Department, Govt. of Bihar, Patna.
2. The Bihar State Food and Civil Supply Corporation Limited, Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2, Patna through its Managing Director.
3. The Managing Director, the Bihar State Food and Civil Supply Corporation Limited, Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2, Patna.
4. The District Magistrate-cum-Chairman, District Transport Samiti, Muzaffarpur.
5. The Deputy Development Commissioner-cum-Deputy Chairman, District Transport Samiti, Muzaffarpur.
6. The District Supply Officer-cum-Member, District Transport Samiti, Muzaffarpur.
7. The District Transport Officer-cum-Member, District Transport Samiti, Muzaffarpur.
8. The District Manager-cum-Member Secretary, District Transport Samiti, Muzaffarpur.
9. The Assistant Manager, CMR Godown, Sakra, Bihar State Food and Civil Supply Corporation Limited, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Santosh Pandey, Advocate Mr. Rahul Singh, Advocate Mr. Mayank Raj, Advocate
For the BPSC	:	Mr. Shailendra Kumar, Advocate
For State	:	Mr. Swapnil Kr. Singh, AC to GP 19

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 01-09-2025 In the instant writ petition, petitioner has prayed for



the following relief :

“That, this writ application has been filed for issuance of appropriate writ/writs, order/orders, direction/directions for quashing the order contained in Memo No. 44 dated 10.01.2025 communicated to the petitioner through e-mail on 31.01.2025, whereby and whereunder the District Transport Samiti under the Chairmanship of District Magistrate, Muzaffarpur decided to blacklist the petitioner for next five years to work as transporting and handling agent on the basis of an FIR with effect from the date of FIR, i.e., 27.04.2024 without complying the specific direction of the Hon’ble Court issues in C.W.J.C. No. 8180 of 2024 disposed of on 24.07.2024 and for other relief/reliefs for which he is found entitled in the eyes of law and in the facts and circumstances of the present case.”

2. Perusal of the records, it is crystal clear that petitioner has not been provided opportunity like issuance of show cause notice insofar as blacklisting the petitioner. On the other hand, show cause notice was issued on 06.08.2024 and it does not contain proposal for blacklisting the petitioner, therefore, petitioner has no occasion to submit his explanation insofar as proposed blacklisting is concerned. On the other hand, insofar as show cause notice dated 06.08.2024 in respect of other issues are concerned, petitioner has submitted his



explanation on 10.08.2024. Taking note of these facts and circumstances, the petitioner has made out a case so as to interfere with the impugned action of the respondents dated 10.01.2025 and it is set aside.

3. Matter is remanded to the concerned authority to take fresh decision, if it is so warranted insofar as blacklisting the petitioner. All due process of law has to be followed in the light of various judicial pronouncements like providing ample opportunity of hearing before blacklisting the petitioner for a particular period.

4. With the above observations, present writ petition stands disposed of.

5. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

GAURAV S./-

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