

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1173 of 2018

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M/s Sun Print and Packers Son of late Dr. Mathura Prasad, Jaiswal, Resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Police Station-Khajekalan, Patna-8, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Managing Director, Bihar State Textbook Publishing Corporation Limited, Pathya Pustak Bhawan, Budha Marg, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Prasad, Adv.
For the Respondent/s	:	Mr. Kameshwar Kumar- GP-17
		Ms. Anukriti Jaipuriyar, Adv.
		Mr. Rajnikant Kumar, Adv.
		Ms. Priti Mahato, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 12-08-2025

1. The Writ petition is filed for the following

reliefs:-

(i) For quashing of the letter bearing Letter No. 1454 dated 04.10.2017 (Annexure-4) issued under the signature of Managing Director, Bihar State Textbook Publishing Corporation Limited (Respondent No. 2) dated 22.09.2017 whereas he has directed to the petitioner to deposit the value of lifted paper within three days otherwise, an FIR will be lodged



against the petitioner.

(ii) For issuance of a direction to the respondent No. 2 to adjust the dues bill amount raised by the petitioner in the bill of the petitioner against the respondent Corporation.

(iii) to pass any such other order/orders to which this Hon'ble Court may deem fit and proper in the interest of justice.

2. The brief facts as culled out from the Writ petition are that the petitioner is engaged in the work of printing and packaging of books for respondent No. 2 for which the respondent No. 2 used to supply papers for the purpose of printing books and after printing and binding, the petitioner delivers the books to different schools, in the State of Bihar as per the directions of 2nd respondent.

3. The petitioner has undertaken printing works for the Bihar State Textbook Publishing Corporation on several occasions. From time to time, after verification of the petitioner's bill, the payment was made.

4. On 26.04.2016, a fire broke out, in one



of the units of the petitioner's factory. In the said incident, the shed of the factory was badly damaged and printed materials (55000 book forms along with cover pages) and other printing materials worth approximately Rs. 12 lakhs were turned to ashes. Thereafter, the petitioner informed the Station House Officer (SHO), Khajekalan, Patna City, by letter dated 27.04.2016, along with a copy to the Fire Brigade Officer, Patna City, requesting necessary follow-up action. Due to the loss of printed papers in the fire, the petitioner was unable to supply the printed materials within the stipulated time.

5. On 05/06.09.2016, respondent No. 2 issued a letter to the petitioner seeking an explanation. In response, the petitioner submitted a reply on 29.09.2016, explaining the circumstances that led for the non-supply of printed materials to the beneficiaries. By the said letter dated 29.09.2016, the petitioner also requested respondent No. 2 to adjust the bill amount against the respondent-Corporation and



deduct the cost of papers.

6. A detailed counter affidavit was filed by the respondents contending that the petitioner lifted paper from the godown, but neither supplied the books to the students nor returned the value of the papers to the Corporation. Despite several reminders, the petitioner did not deliver the books or return the cost of the papers. Consequently, the Corporation threatened the petitioner of criminal action. Hence, the writ petition, according to the respondents, is totally devoid of merits and liable to be dismissed.

7. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

8. It is the specific contention of the Learned counsel for the petitioner that the representation dated 29.09.2016 is still pending with the respondent authorities, therefore, a direction may be issued to dispose of the same.

9. At this juncture, the Learned counsel for the respondents contended that since the



representation is of the year 2016, the petitioner may be delivered to file a fresh representation before the authorities to enable them to pass necessary orders.

10. Admittedly, the representation of the petitioner is of the year 2016. Therefore, the petitioner is directed to file a fresh representation before the respondent Corporation along with all relevant documents within a period of one month from the date of receipt/production of copy of this order. In turn, the respondent authorities shall pass appropriate orders in accordance with law within a period of two months from the date of filing of such representation.

11. With the aforesaid observations, the Writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.08.2025
Transmission Date	

