

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10961 of 2025

Jain Associates, a partnership firm having its Office at Vill.- Bahadarpur, P.O.- Nangal Khajuri, Yamuna Nagar, Haryana, PIN- 135001 through its partner Amit Kumar Jain, Male, Age about 40 Years, Son of Anil Kumar Jain, Resident of Rabindra Nagar, Birpera Tea Garden, Birpara, District- Jalpaiguri, West Bengal, Pin- 735204.

... .. Petitioner/s

Versus

1. The South Bihar Power Distribution Company through its Managing Director, Vidyut Bhawan, Bailey Road, Patna- 800021.
2. The Chief Engineer, (Planning & Engg.), South Bihar Power Distribution Company through its Managing Director, Vidyut Bhawan, Bailey Road, Patna- 800021.
3. The Electrical Executive Engineer, RDSS Cell (P & E), South Bihar Power Distribution Company through its Managing Director, Vidyut Bhawan, Bailey Road, Patna- 800021.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate Mr. Venkatesh Kirti, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, Advocate Mr. Pratyush Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-09-2025

In the instant petition, petitioner has prayed for the following relief(s):-

“a.) For issuance of Writ in nature of Certiorari quashing the Memo No. 784 dated 15.10.2024 passed by Respondent No. 2, wherein the Petitioner Company has been debarred from Supplying materials (cables) to SBPDCL for next five years.



b.) For any other relief or reliefs which the petitioner may be found entitled to in the facts and circumstances of the case.”

2. In identical matters, we have interfered in number of cases only on the sole ground that without show-cause notice and receipt of reply and thereafter to proceed for passing adverse order like debarring/blacklisting, the respondents have not learnt lesson. Be that as it may, in the present case, petitioner has not been provided opportunity of defending his case. In other words, show-cause notice has not been issued by the competent authority as to why petitioner shall not be debarred.

3. On the sole ground, we are interfering with the impugned action of the respondents. In CWJC No. 8099 of 2025 [M/s Daksha Cable Industries Pvt. Ltd. Vs. The South Bihar Power Distribution Company & Ors.], decided on 23.09.2025, is aptly applicable to the case in hand.

4. Accordingly, the impugned communication dated 15.10.2024 (Annexure-P/8) stands set aside reserving liberty to the concerned authority to proceed strictly in accordance with law, since the authorities exercise quasi judicial function. That apart, if any action is taken against the petitioner, it has civil consequences. In such circumstances, invariably parties who are



likely to be affected should be heard in the matter. Liberty reserved to the concerned authority to pass a suitable order after due opportunity of hearing in the form of written as well as oral. The above exercise shall be completed within a period of three months from the date of receipt of this order.

5. CWJC No. 10961 of 2025 is allowed.

6. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	26.09.2025
Transmission Date	

