

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17044 of 2024

Indu Enterprises located at Haspura Road Pachrukhiya Aurangabad through its Proprietor Anand Kumar, aged about 33 years, Male, Son of Sri Anoop Prasad Singh, resident of Village and Post- Kailwan, P.S. - Haspura, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-cum-Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Inspector General (Prison) Department of Home, Government of Bihar, Patna.
3. The District Magistrate-cum-Chairman, District Jail Purchasing Committee, Gaya.
4. The Jail Superintendent, Central Jail, Gaya (Bihar).
5. The Superintendent, Sub Jail, Sherghati, Gaya (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Advocate
For the Respondent/s	:	Mr. P.K.Verma, AAG-3
		Mr. Sanjay Kumar Ghosarvey, A.C. to AAG-3

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 01-05-2025 Heard the learned counsel for the parties.

2. The impugned order dated 27.03.2024
contained in Memo No.2590 is under challenge.

3. By the aforesaid order, the petitioner has
been blacklisted till the month of May, 2026.

4. The learned counsel for the petitioner submits



that the explanation of the petitioner was not discussed and the petitioner has been left in complete lurch as to on what ground the document furnished by him, viz., the CA certified gross turnover, to be forged and fabricated.

5. In fact, the petitioner was earlier blacklisted for an indefinite period and that also without issuing any notice to him. When that action was challenged before this Court vide CWJC No.1500 of 2017, a Bench of this Court set aside that order on the twin ground of there being no notice to the petitioner and the blacklisting order being for an indefinite period, both of which were good enough grounds for setting aside such order of the respondents. The respondents were but given the liberty to proceed against the petitioner afresh in accordance with law after due notice to him.

6. From the order impugned in the present appeal, it appears that the petitioner was noticed and summoned and was permitted to file his defence, viz., that the document furnished by him with regard to his



gross turnover of a particular financial year was not forged or fabricated but certified by CA and which was correct.

7. Rejecting such defence of the petitioner, a cryptic/ laconic order has been passed, without assigning any reason, for holding the document furnished by the petitioner to be forged and fabricated. The only amend that was made by the respondents in the order was to make the period of blacklisting determinate i.e. till May, 2026.

8. The counter affidavit filed on behalf of the respondents merely states that the document furnished by the petitioner was found to be false. In support of the aforementioned statement, only an earlier letter written by the respondents to the petitioner communicating to him that the document furnished by him was not genuine, has been annexed.

9. This is no way of contesting the case.

10. For the reason of the order being completely



laconic and not disclosing any reason whatsoever, we deem it to be appropriate to set it aside again.

11. We order accordingly.

12. The matter is remanded to the concerned authority for passing a fresh order after going through the response of the petitioner and giving reasons for not accepting the response.

13. The entire exercise shall be completed within a period of two months from the date of receipt/production of a copy of this order before the authority.

14. The writ petition stands disposed off accordingly.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Saurabh/Rajesh

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