

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15082 of 2025

Kanha Biogenetic a partnership firm, having its registered office at Plot No. IC, EPIP Phase 1, Jharmajri, Baddi, Solan, Himachal Pradesh- 173205 through its Authorized Representative Mr. Pankaj Kumar, aged about 45 years, S/o Rampukar Singh, resident of Patel Transport, Opposite National Paper, West Lohanipur, Kadamkuan, Patna, Bihar- 800003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, 1st Floor, Vikas Bhawan, Bailey Road, Patna- 800015.
2. Additional Chief Secretary, Health Department, office at 1st Floor, Vikas Bhawan, Bailey Road, Patna- 800015.
3. Bihar Medical Services and Infrastructure Corporation Limited, 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna- 800014.
4. Managing Director, Bihar Medical Services and Infrastructure Corporation Limited, 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna- 800014.
5. General Manager (Procurement), Bihar Medical Services and Infrastructure Corporation Limited, 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna- 800014.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Supragya, Advocate
For the Respondent/s	:	Mr. Standing Counsel (11)
For the State	:	Mr. Kinkar Kumar, SC-19

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 25-09-2025 In the instant writ petition petitioner has prayed for grant of following reliefs :-

“i. For appropriate order/orders or direction/directions in the nature of writ of certiorari for quashing the blacklisting order dated 10.07.2025



issued by Respondent No. 4 whereby the Petitioner has been blacklisted for a period of 2 years without any notice or opportunity of being heard in absolute violation of principles of natural justice which is in teeth of several notable judgments of the Hon'ble Supreme Court and Hon'ble Patna High Court.

ii. For appropriate order/orders or direction/directions in the nature of writ of mandamus to the Respondents to decide upon the appeal filed by the Petitioner taking into consideration all the submissions made by the Petitioner and pass a reasoned and speaking order at the earliest to prevent further losses to the Petitioner.

iii. For appropriate order/orders or direction/directions in the nature of writ of mandamus for direction of stay on the operation of the blacklisting order and directions to Respondents to allow the Petitioner to participate in a fair manner in subsequent tender notices being issued by Respondent No. 3 during the pendency of the appeal before the Respondent No. 2;

iv. Pass any other order/orders as deemed fit and appropriate by this



Court.”

2. The petitioner has assailed the impugned action of the authorities before the Appellate Authority and it is pending consideration. Simultaneously, writ petition has been filed. The petitioner cannot maintain parallel proceedings. In view of these facts and circumstances, the Appellate Authority is hereby directed to decide the petitioner's appeal within a period of two months from the date of receipt of this order. In the meanwhile, the author of the impugned order dated 10.07.2025 is hereby directed to not to give effect till the Appellate Authority takes a decision for the reasons that there is a legal issue involved in the present *lis* to the extent that whether Committee has blacklisted the petitioner or not and it is to be decided by the Appellate Authority.

3. With the above observation, writ petition stands disposed of. Pending Interlocutory Applications, if any, stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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