

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16908 of 2025

-
-
1. M/s Centurion Remedies Pvt. Ltd. having its Registered Office at Plot No. G/5-6 and F/19, Industrial Estate, Gorwa, Vadodara, India, through its authorised representative Shashi Ranjan Singh, male, aged about 46 years, Son of Binod Prasad Singh, resident of Behind Darbhanga Nagar Nigam Sonapath, P.S. Nagar, Darbhanga, Bihar.
 2. Shashi Ranjan Singh, Son of Binod Prasad Singh, resident of Behind Darbhanga Nagar Nigam Sonapath, P.S. Nagar, Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Health, Government of Bihar, Patna.
2. The Secretary, Department of Health, Government of Bihar, Patna.
3. Bihar Medical Services and Infrastructure Corporation Ltd., Second and Third Floor, Swasthya Bhawan, behind IGIMS, Sheikhpura, Patna, Bihar through its Secretary.
4. The Managing Director, Bihar Medical Services and Infrastructure Corporation Ltd., Second and Third Floor, Swasthya Bhawan, behind IGIMS, Sheikhpura, Patna, Bihar.
5. The Chief General Manager (Supply Chain), Bihar Medical Services and Infrastructure Corporation Ltd., Second and Third Floor, Swasthya Bhawan, behind IGIMS, Sheikhpura, Patna, Bihar.
6. The General Manager, Bihar Medical Services and Infrastructure Corporation Ltd., Second and Third Floor, Swasthya Bhawan, behind IGIMS, Sheikhpura, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Advocate Ms. Manini Jaiswal, Advocate Ms. Manas Rajdeep, Advocate Mr. Shubham Kr. Upadhyay, Advocate Mr. Rittik Prakash, Advocate Mr. Adya Pandey, Advocate
For the Respondent/s	:	Advocate General Lalit Kishore, Sr. Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-10-2025



In the instant writ petition, petitioner has prayed for the following reliefs :

“i. For issuance of an appropriate writ to quash the order dated 26.09.2025 contained in letter no. 7562 issued by the Managing Director, Bihar Medical Services and Infrastructure Corporation Ltd., Sheikhpura Patna (hereinafter referred to as BMSICL) whereby and where under the petitioner company has been blacklisted for a period of three years, for non-supply of important medicines, form the date of issue of the Impugned Order along with which the Security deposit has been forfeited. (Annexure P/12)

ii. During the pendency of the present writ application the letter no. 7562 dated 26.09.2025 may be kept in abeyance.

iii. For any other order(s) as Your Lordship may deem fit and proper in light of the facts and circumstances of the case.”

2. Perusal of the records, it is evident that show-cause notices were issued on 09.07.2024 and 23.07.2024 to the petitioners for furnishing his say in respect of proposal to blacklist him for three years. Petitioners had submitted their reply to the show cause notices on 05.04.2025, thereafter, they were blacklisted for a period of three years on 26.09.2025.

3. Perusal of the blacklisting order, it is crystal clear that there is a total non- application of mind on behalf of the concerned authority insofar as not considering the petitioners’



objection/reply to the show-cause notices. The concerned authority is exercising *quasi* judicial function, therefore, he was bounden duty to consider show-cause notices read with the petitioners’ objections and other materials. There is no consideration in respect of the above factual aspects of the matter. On this count, impugned action of the respondents dated 26.09.2025 is liable to be set aside and the matter is required to be remanded. The concerned authorities are hereby requested to peruse *Oryx Fisheries Private Ltd. vs. Union of India & Ors.* reported in **(2010) 13 SCC 427, Paragraph-40.**

4. The concerned authorities are hereby requested to follow the principles laid down in the aforementioned decision and proceed to pass a fresh order after due opportunity of hearing if any, within a period of three months from the date of receipt of this order.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	17.10.2025
Transmission Date	

