

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12445 of 2015**

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M/s D. J. Laboratories Pvt. Ltd. A Company registered under Companies Act, having its Administrative Office at Jindal House' 169, Jaora Compound, P.S. Sanyogitaganj, town and district Indore, M.P. through its Authorized signatory Sri Sanpal Goyal.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Department of Health Government of Bihar Patna.
2. The Managing Director, Bihar Medical Services and Infrastructure Corporation Limited, a Government of Bihar owned Corporation having its office at 5th Floor, Biscomaun Bhawan, Gandhi Maidan, P.S. Kotwali, town and district Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Laxmi Narayan Das, Advocate  
For the Respondent/s : Mr. Vikash Kumar, SC-3

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**and**  
**HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)**

6      04-05-2026                      Heard learned counsel for the parties.

2. The following reliefs have been sought in the present writ application:

*"(a) That the present application is for issuance of a writ in the nature of Certiorari quashing the order dated 21.05.2015 issued by Respondent No. 2 (Annexure-8) whereby respondent no.2 has illegally Black Listed, the petitioner company for 5 years, terminated*



*the agreement, forfeited the huge amount of security deposit and ordered not to make any payment and also deduction of additional 10% of the cost.."*

3. Mr. Vikash Kumar, learned counsel for the State, submits that petitioner has a statutory remedy of appeal as provided under Clause 19(x)(b) of the ITB (Annexure-R of the counter affidavit), which reads as follows:

*"Clause 16.3 (b) Aggrieved by the decision or levy of fine by the Ordering Authority, the supplier can make an appeal with the concerned Directors. Aggrieved by the decision of the concerned Director, the supplier can take up the appeal with the Tender inviting Authority."*

4. Considering the submissions made on behalf of the learned counsel for the State, the petitioner is permitted to prefer an appeal in terms of the Clause as referred to herein above. He shall be at liberty to raise all his grievances before the appellate authority.

5. In case such an appeal is filed within a period of 30 days from today, the Appellate Authority shall consider and dispose of the same by passing an order in accordance with law after affording due opportunity of hearing, preferably within a period of eight weeks from the date of filing of such appeal.

6. With the aforesaid observations and directions, the



present writ application stands disposed of.

7. Pending application(s), if any, shall stand disposed  
of.

**(Sudhir Singh, J)**

**(Shailendra Singh, J)**

Rajiv/Sujit

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