

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9724 of 2015

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Dharti Dredging And Infrastructure Ltd. having its registered and corporate office at 6-3-1113/2 DDIL Bhawan, B.S. Maktha, Begumpet Hyderabad through its authorized representative Sri Laxmikanta Panda, Son of R.N. Panda, Resident of - 14 , Surya Nagar , Kaushlya Enclave , Tirumalgiri, Secundrabad P.S.- Tirumalgiri, District - Rangeddy, presently working as Executive Director of the Company .

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Under Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Engineer, in-Chief, (Central), Water Resources Department. Govt. of Bihar, Patna.
5. The Chief Engineer, Water Resources Department Siwan.
6. The Superintending Engineer, Flood Control Circle, Gopalganj.
7. The Executive Engineer, Flood Control Division, Thakraha Camp, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Respondent/s : Mr. Ritesh Kumar- Sc33

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 17-07-2015 Heard Mr. Manish Kumar No.2 for the petitioner and Mr. P.N. Shahi learned AAG 10 for the State.

The grievance of the petitioner precisely is against the order dated 18.02.2015 (Annexure-7) by which the respondent has blacklisted the petitioner-company.

One of the contentions raised is that without granting any opportunity of filing show cause against the proposed action the respondent has passed the said order.

Mr. Shahi points out from the writ petition that subsequent to the aforesaid order the petitioner has been served a

show cause notice to explain against the proposed action of blacklisting (Annexure-10). It has thus been submitted that the requirement of law has now been complied with. The respondents will consider the reply to the show cause which the petitioner has already filed and pass a fresh order in accordance with law.

Having heard the parties, the writ petition is disposed of by permitting the respondents to pass a fresh order in accordance with law after considering the show cause/reply which the petitioner has filed pursuant to annexure 10. The respondents shall not be precluded in any manner from passing a fresh order after considering the reply to the show cause submitted by the petitioner by the previous order dated 18.02.2015. To obviate any confusion, this Court directs that the order impugned (Annexure-7) shall remain in abeyance until a fresh order is passed by the respondents in the light of the present order.

(Kishore Kumar Mandal, J)

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