

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18861 of 2015

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1. M/s Patna Water Supply Distribution Network Pvt. Ltd., a private limited company registered under the Companies Act, 1956 having its registered office at Gammon House, Veer Savarkar Marg Prabhadevi Mumbai - 400025 through its Shah Mahendra Ujamshi, S/o late Shah Ujamshi Ranchhoddas Director -M/s Patna Water Supply Distribution Network Pvt. Ltd, resident of Flat No. A/303, Leela Park, Dahanukar Wadi, Kandivili (W) Mumbai-400067
2. M/s Gammon India Limited, a company registered under the Companies Act, 1956 having its registered office at Gammon House, Veer Savarkar Marg Prabhadevi Mumbai -400025 through its person authorized Shah Mahendra Ujamshi, S/o late Shah Ujamshi Ranchhoddas , resident of Flat No. A/303, Leela Park, Dahanukar Wadi, Kandivili (W) Mumbai-400067

.... Petitioners

Versus

1. Bihar Urban Infrastructure Development Corporation Limited, 303, Maurya Tower , Budha Marg, Patna through its Managing Director.
2. Chief General Manager, BUIDCO, 303, Maurya Tower , Budha Marg, Patna
3. Project Director, SIU-1, BUIDCO, Maurya Lok Complex, Budha Marg Patna
4. The Manager (Finance) BUIDCO, 303, Maurya Tower, Budha Marg, Patna
5. The Patna Municipal corporation through the Municipal Commissioner, Maurya Lok Campus, Patna.
6. State of Bihar through the Principal Secretary-cum-Commissioner, Department of Urban Development, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioners : Mr. Mrigank Mauli,
Mr. Sanket,
Mr. Prince Kumar Mishra,
Mr. Samir Kumar, Advocates

For the State : Mr. Syed Arshad Alam, SC 3
Mr. Mahtab Alam, AC to SC 3

For Respondents 1 to 4: Mr. Lalit Kishore, Sr. Advocate
Mr. Rabindra Kumar Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-12-2015

The present writ petition has been filed for quashing the letter no. 1612 dated 27.05.2015 issued by the Respondent-Bihar Urban Infrastructure Development Corporation Limited (hereinafter referred to as “BUIDCO”) whereby petitioners have been blacklisted

in terms of the Rule 8 of the Bihar Contractors Registration Rules, 2007 (hereinafter referred to as “ the Rules”).

2. At the very outset, having regard to the appeal having already been preferred by the petitioners in terms of Rule 11 of the Rules said to be pending before the Principal Secretary-cum-Commissioner, Department of Urban Development, Bihar, Patna, the petitioners appear to be pursuing parallel remedies.

3. The writ petition is accordingly disposed of with a direction to the Principal Secretary-cum-Commissioner, Department of Urban Development, Bihar, Patna (respondent no.6) to consider and dispose of the petitioners’ appeal filed in terms of the letter dated 23.06.2015, if still pending, on its own merits in accordance with law after grant of opportunity to the petitioners, expeditiously and preferably within a period of four weeks from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

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