

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10789 of 2016

=====

M/s Mother India Construction Pvt. Ltd., a Company registered under the Companies Act, 1956, and having its registered office at Aspura House, Road No. 3, Sanjay Gandhi Nagar , Kankarbagh, Patna, 800020 through its Manager and authorized Person, Raj Kishor S/o Sri Rama Shankar Singh R/o Pesu Staff Quarter No.4 Mangals Road , Patna, 800015

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Rural Works Department
2. The Principal Secretary Rural Works Department, Government of Bihar
3. The Engineer in Chief Rural Works Department, Government of Bihar Patna
4. The Chief Engineer Rural Works Department, Bihar
5. The Executive Engineer Rural Works Department, Work Division , Pupri (Sitamarhi), Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mrigank Mauli
Mr. Sanket
Mr. Sanjay Kumar

For the Respondent/s : Mr. Kundan Bahadur Singh, S.C.22

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 22-07-2016 It is stated by learned counsel for the petitioner that even at the time of passing the impugned debarment order dated 27.06.2016, the petitioner has completed 80% physical progress and 82% financial progress, yet it has been debarred.

By way of supplementary affidavit, learned counsel for the petitioner refers to a letter dated 21.07.2016 of the Executive Engineer, Rural Works Department, Works Division, Pupari, Sitamarhi, in which he has stated that the petitioner has completed the entire work and he has also recommended that the petitioner's

name should be removed from the debarment list.

Learned counsel for the State, in the above circumstances, submits that in view of the letter of the Executive Engineer, he does not intend to file a counter affidavit in the matter and the case may be disposed of accordingly.

In view of the said letter dated 21.07.2016 of the Executive Engineer, the writ application is allowed and the impugned order of debarment dated 27.06.2016, in so far as it concerns the petitioner, is quashed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

U			
---	--	--	--