

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14367 of 2016

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M/s. Bansidhar Construction Pvt. Ltd. at Patila, Maner, Patna through its Director, Ram Prasad Ray, S/o Late Kishun Dayal Rai, R/o- Village- Patila, P.S.- Maner, Town & District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Vishewesharya Bhawan, Bailey Road, Patna.
2. The Engineer-in-Chief-cum- Additional Commissioner-cum- Special Secretary Rural Works Department, Government of Bihar, Vishewesharya Bhawan, Bailey Road, Patna.
3. The Chief Engineer-1, Rural Works Department, Government of Bihar, Vishewesharya Bhawan, Bailey Road, Patna.
4. The Superintendent of Engineer, Rural Works Department, Works Circle, Patna.
5. The Executive Engineer, Rural Works Department, Govt. of Bihar, Works Division, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shivendera Kishore
Mr. Jai Kishor Poddar, Advocates
For the State : Mr. Kameshwar Prasad Gupta-GP-10

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

4 06-10-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The writ application has been filed for quashing the order dated 22.6.2016 passed by the Engineer-in-Chief, Rural Works Department, Government of Bihar by which the petitioner has been declared defaulter and debarred from participating in the future tenders of the Government.

It is not in dispute that the petitioner has completed

85% of the work in one package and 83% in another package on 12.8.2016.

In the counter affidavit filed on behalf of the respondents, it is stated that the petitioner, as per the assurance given by it, has to complete the work by 30th October, 2016. The respondents do not have any objection to the debarment order being stayed till that date.

Learned counsel for the petitioner submits that the petitioner shall definitely complete the work by 30th October, 2016.

In the aforesaid view of the matter and considering the stand taken by learned counsels for the parties, the writ application is disposed of by quashing the order dated 22.6.2016 in so far as it concerns the petitioner subject to the condition that the petitioner shall complete the work by 30th October, 2016.

(Ramesh Kumar Datta, J)

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