

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.343 of 2017

In

Civil Writ Jurisdiction Case No.5778 of 2014

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1. The State Of Bihar, through the Principal Secretary, Water Resources Department, Bihar, Patna.
 2. The Engineer-in-Chief (Central/Middle) Water Resources Department, Bihar, Patna.
 3. The Chief Engineer, Water Resources Department, Samastipur.
 4. The Executive Engineer, Flood Control Division-I, Jhanjarpur, District- Madhubani.
 5. Mr. Dharendra Kumar, Former Engineer-in-Chief (Central/Middle), Water Resources Department, Bihar, Patna-15.

... .. Respondents-Appellant/s

Versus

Kems Service Private Limited through its Managing Director, Mr. Mohan Kumar Khandelwal, S/o Sri Durga Prasad Khandelwal, 76 B1/B Maurya Lok Complex, Dak Bunglow Road, P.S. Kotwali, Patna 8001, Bihar.

... .. Petitioner- Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-11-2017

Re.: Interlocutory Application No.1293 of 2017

Delay of 145 days in filing of the Letters Patent Appeal is condoned.

Interlocutory Application stands allowed and disposed of.

Re.: Letters Patent Appeal No. 343 of 2017

Keeping in view the fact that the learned Writ Court has dismissed the writ petition based on the law laid down by the



Hon’ble Supreme Court in the case of **Kulja Industries Ltd. v. Chief General Manager, W.T. Proj. BSNL, 29013(4) PLJR (SC) 447**, on account of the fact that the period for blacklisting was not indicated and there cannot be a blacklisting for indefinite period, we see no reason to interfere with the order. However, if the authorities feel, they are free to proceed in accordance with law with regard to fixing the period of blacklisting after hearing the aggrieved person concerned.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.11.2017
Transmission Date	

