

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14016 of 2015

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Magadh Manisha Construction Pvt. Ltd., through its Managing Director,
Ravindra Prasad Singh Son of Late Bhola Singh Resident of L I G 9/299,
Hanuman Nagar, P.S. Patrakar Nagar, Patna 20

... .. Petitioner

Versus

1. The State of Bihar
2. The Secretary, Road Construction Department, Patna
3. The Engineer in Chief Cum Upper Commissioner Cum Upper Secretary,
Road Construction Department, Patna
4. The Executive Engineer, Road Division, Araria

... .. Respondents

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Appearance :

For the Petitioner : Mr.Krishna Kumar, Adv

For the Respondents : Mr. Manoj Kumar Sinha, AC to GA 9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 21-12-2018

The present writ petition has been filed for quashing the letter bearing memo no. 2954(E) dated 08.05.2012 issued under the signature of Engineer-in-Chief, Road Construction Department, Bihar, Patna by which the petitioner company has been blacklisted under the provision of the Bihar Thikedari Registration Act, 2007; and for connected reliefs.

2. Learned counsel for the petitioner submits that pursuant to a blacklisting order passed by the Bihar Rajya Pul Nirman Nigam Ltd., Patna the petitioner was blacklisted also by the Respondent-Road Construction Department in terms of the impugned order 08.05.2012. In a subsequent development, the petitioner's Appeal No. 01 of 2011 against the earlier blacklisting order by the Bihar Rajya Pul Nirman Nigam Ltd., Patna was disposed of on 21.09.2012 wherein it was found



not sustainable in absence of show cause notice. Learned counsel for the petitioner states on instruction that no further order of blacklisting has since been passed by the Bihar Rajya Pul Nirman Nigam Ltd, Patna pursuant to disposal of the aforesaid appeal. In this light, the petitioner represented before the respondent-Road Construction Department on 27.09.2012 (Annexure-5) for recall of the blacklisting order, but the matter remains pending.

3. Learned counsel for the respondents appears. However, no counter affidavit has been filed to controvert the averments in the writ petition.

4. Having heard the parties and on consideration of the materials on record, this Court is of the view that the ends of justice will be met by directing the Engineer-in-Chief, Road Construction Department, Bihar, Patna (respondent no. 3) to consider and dispose of the petitioner's representation dated 27.09.2012 (Annexure-5), if still pending, on its own merits and in accordance with law after grant of an opportunity of hearing to the petitioner expeditiously and in any event within a period of eight weeks from the date of receipt/production of a copy of this judgment.

5. The writ petition stands disposed of.

Chandran/-

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.12.2018
Transmission Date	NA

