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N THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17372 of 2013

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Maa Jagdambika Construction Private Limited, Karma Road, Aurangabad,
P.S. Aurangabad Town, District - Aurangabad, Bihar Through Its Director
Shri Rajeshwar Singh Son Of Late Mundrika Singh, Karma Road,
Aurangabad, P.S. Aurangabad Town, District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Water Resources Department, Govt. Of Bihar, Patna
2. Engineer - In - Chief (Central), Water Resources Department, Govt. Of Bihar, Patna
3. The Deputy Secretary Cum Internal Financial Advisor, Water Resources Department, Govt. Of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Madanjeet Kumar, GP 20

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 29-11-2018

The present writ petition has been filed for quashing the orders dated 18.03.2010 issued vide letter no. 1534 and order dated 04.02.2013 passed in appeal by the respondent authorities.

2. As none appeared on behalf of the petitioner the matter was passed over for a few cases. However, on repeat call the petitioner was again not represented.

3. A perusal of the impugned order dated 18.03.2010 discloses that the petitioner has been blacklisted by reason



of fraudulent action and wrong tendering on its part. The petitioner appears aggrieved on the ground that the impugned order has been passed without grant of adequate opportunity.

4. Learned counsel for the respondents on the other hand invites reference to the impugned order dated 18.03.2010, para 9 whereof is a clear averment that due opportunity was granted to the petitioner in terms of Department's letter no. 238 dated 25.01.2010 and letter no. 481 dated 17.02.2010 despite which however, the petitioner did not file its show cause.

5. Having heard learned counsel for the respondents and on consideration of the materials on record, this Court is not inclined to interfere in the matter. There is a clear averment in the impugned order dated 18.03.2010 that the two letters were issued to the petitioner to show cause against the blacklisting, but were not responded to. It may be noted that the petitioner has taken a stand in para 12 of the writ petition that a show cause was submitted by letter dated 19.02.2010 enclosing a copy of the balance sheet of the firm, but except a bald statement, no material has been placed on record to show that such show cause had in fact



been submitted.

6. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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