

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15741 of 2021

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Amrit Raj S/o Sushil Kumar Singh R/o Maharaja Hata, P.S.- Ara Nawada,
District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner Arban Development Department, Bihar, Patna.
2. The Municipal Commissioner, Municipal Corporation Ara, Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Respondent/s : Mr.Abbas Haider (SC 6)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-10-2021 The present writ petition has been filed seeking
the following reliefs:-

“1. That the present writ petition is being filed for issuance of appropriate writ/writs, order/orders, direction/directions to the Respondent to pass appropriate order according with law after setting aside of the letter dt. 04.03.2021 vide memo no. 281 by Municipal Commissioner, Ara Nagar Nigam, Bhojpur at Ara against the petitioner without going through the facts of the case, the petitioner is supply the man power about 690-695 persons and he has pay to the workers in their account of Rs. 275/- per day and the agreement for two years from the dt. Of 30.03.2020 to 29.03.2022 as per agreement and without issuing notice or email or without hearing the petitioner the said letter has been issued to blacklisting the petitioner and the



amount is going to be adjusted its against the law it may be set aside and during pendency of the preset petition also may stay the letter dt. 04.03.2021 passed by Municipal Commissioner, Municipal Corporation Ara Bhojpur, and after setting aside the said letter your lordship may pass appropriate order according to law.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Bihar Public Works Contract Disputes Arbitration Tribunal, Bihar, Patna for redressal of the aforesaid grievances of the petitioner regarding rescinding of the agreement dated 30th March, 2020.

At this juncture, the learned counsel for the petitioner has submitted that the petitioner be granted liberty to represent and clarify his stand with regard to that part of the notice dated 4.3.2021, issued by the Municipal Commissioner, Municipal Corporation Ara, Bhojpur, whereby proceedings have been initiated to blacklist the petitioner.

The learned counsel for the Respondent State, Shri Abbas Haider, SC-6 submits that in case the petitioner files appropriate reply to the show cause notice dated 4.3.2021, the respondent authority, i.e. the Municipal Commissioner, Municipal Corporation, Ara, Bhojpur shall definitely consider the same and pass appropriate orders in



accordance with law.

Having regard to the facts and circumstances of the case, this Court deems it fit and proper to grant four weeks' time to the petitioner to file appropriate reply to the notice dated 4.3.2021 before the Municipal Commissioner, Municipal Corporation, Ara, Bhojpur, as far as the issue of black listing the petitioner is concerned, whereupon the Respondent Municipal Corporation, Ara shall consider the same and take appropriate decision in accordance with law, as far as the issue of black listing is concerned.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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