

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13707 of 2021

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M/s. Azad Construction through its Proprietor Azad Anwar (aged about 43 Years, Gender-Male), Son of Md. Suleman, Office and Resident of Village-Sundar Kumhari, Post Officer-Kurmawan, P.S.-Barachatti, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Visveshwaraiya Bhawan, Bailey Road, Patna.
2. The Engineer-In-Chief, Rural Works Department, Bihar, Visveshwaraiya Bhawan, Bailey Road, Patna.
3. The Superintending Engineer, Rural Works Department, Work Circle, Gaya.
4. The Executive Engineer, Rural Works Department, Wprk Division, Sherghati Gaya.
5. The Assistant Engineer, Rural Works Division, Works, Sub-Division, Barachatti, Gaya.
6. The District Magistrate, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Singh, Adv.
For the Respondent/s	:	Mr.Kumar Alok, SC-7
		Mr. Prem Ranjan Raj, AC to SC-7

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

4 05-04-2022 The petitioner was allotted the work of construction of road, however, vide letter dated 9th April, 2021 passed by the Respondent No.2, he was perpetually debarred and declared incompetent and unqualified for participating in any future tender works of the Government.

It has been contended on behalf of the petitioner that the order in question is wholly arbitrary and illegal and cannot



stand scrutiny of law. On query being put to the learned counsel for the Respondent State about validity of such an order, no clear answer is forthcoming. He, however, submits that in case the petitioner completes the work even now, the order in question shall be withdrawn.

The learned counsel for the petitioner submits that the petitioner has the resources to complete the work at the earliest. In view of the statements made before us by both the counsels, no further adjudication of the matter is necessary. Thus, the present writ petition is hereby dismissed.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

Tiwary/-

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