

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15223 of 2021

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M/s Dhaneshwar Nath Construction Through its Managing Partner, Rajiv Ranjan Singh, Gender-Male, aged about-49 years, Son of Andrika Prasad Singh, Resident of Sanjay Gandhi Nagar, Lalit Niketan Colony, Hanuman Nagar, P.S.- Kankarbagh, District and Town- Patna. Permanent Address- Village- Kistipur, Madhuban Road, Kosut, P.S.- Dhanarua, District and Town- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Rural Works Department, Visheweshraiya Bhawan, Bailey Road, Patna.
2. The Engineer-in-Chief Rural Works Department, Visheweshraiya Bhawan, Bailey Road, Patna.
3. The Chief Engineer-1 Rural Works Department, Bihar, Patna.
4. The Superintending Engineer Rural Works Department, Work Circle, Aurangabad.
5. The Executive Engineer Rural Works Department, Works Division, Daudnagar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Adv
Mr. Umesh Kumar Gupta, Adv
For the Respondent/s : Smt. Archana Meenakshee (GP6)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

8 11-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The petitioner is aggrieved by decision of the Engineer-in-Chief, Rural Works Department, Government of



Bihar dated 29.07.2021, whereby it has been debarred from being awarded any contractual work.

Without going into the merits of the grievance raised by the petitioner in the present case, we take notice of submissions advanced on behalf of the State of Bihar that since the petitioner has in fact executed the work in question, a recommendation has been made by the Executive Engineer to lift the order of debarment. The said recommendation was made by the in December, 2021 itself. Till date, however, no final order has been passed by the competent authority.

Learned State counsel has submitted that within two weeks, the competent authority will take a final decision on the question of lifting the order of debarment.

Considering the facts and circumstances, we dispose of this writ application with a direction that let the decision be taken by the competent authority within two weeks from today. If he fails to take a final decision in this regard, the order of debarment shall become inoperative.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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