

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19099 of 2021

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Bishambhar Purvey S/o Late Gangai Purvey R/o Mohalla- Ward No. 16,
Bhelwa Tola, near Block Jainagar, P.S.- Jainagar, District- Madhubani,
proprietor of M/s Ramvilash Purvey, Jainagar, Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Work Department, Govt. of Bihar, Patna.
2. The Secretary, Rural Work Department, Govt. of Bihar, Patna.
3. The Engineer in Chief, Rural Work Department, Govt. of Bihar, Patna.
4. Chief Engineer, Rural Work Department, Govt. of Bihar.
5. The Superintending Engineer cum Nodal Officer, PMGSY.
6. The Superintending Engineer, Rural Work Department, Work Circle Darbhanga.
7. The Executive Engineer, Rural Work Department (W) Division, Jhunjharpur, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh, Advocate
For the Respondent/s : Mr. Kameshwar Prasad Gupta (GP10)

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

4 29-06-2022 Petitioner has preferred this writ petition seeking a writ in the nature of certiorari for quashing the order dated 1st June, 2020 by way of which the petitioner's firm has been blacklisted for 10 years after rescinding of the agreement. Stand of the Department is that the petitioner failed to complete the work in the time-frame prescribed in the agreement. One of the main pleas raised by the petitioner is that it is not clear from the



order as to why the petitioner's firm has been blacklisted for 10 years. According to him, neither any Rules nor any instructions providing time-frame for which the petitioner's firm can be blacklisted for appropriate default.

On a query being put to counsel for the respondents on this issue, no clear answer is forthcoming.

Under the circumstances, the writ petition is disposed of with a direction that in case the petitioner files a representation before the Secretary, Rural Works Department, Government of Bihar, Patna within three weeks from today, he shall look into the matter and pass a speaking order within four weeks thereof. He shall also be at liberty to lay down a clear-cut policy with regard to the matter of this nature.

(Rajan Gupta, J)

(Shailendra Singh, J)

Anjani/-

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