

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2840 of 2023

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Amit Kumar Singh S/o Sanjay Kumar Singh R/o Village- Sarangpur
Khalispur, Post- Sarangpur, P.S.- Tajpur, District- Samastipur, Bihar.
(848505).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Government of Bihar, Patna.
2. The Secretary, Human Resource Development Department, Government of Bihar, Patna.
3. The Director, Human Resource Development Department, Government of Bihar, Patna.
4. The Managing Director, Bihar State Infrastructure Development Corporation, Ltd.
5. The Chief Engineer, Bihar State Infrastructure Development Corporation, Ltd.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sriram Krishna, Advocate Mr. Prabhat Kumar Singh, Advocate
For the State	:	Mr. Madan Jeet Kumar (GP 20)
For the BSEDC	:	Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 04-04-2023

Heard learned counsel for the respective parties.

02. In the instant petition, petitioner has prayed for the following reliefs:-

"(i) To issue an appropriate Writ(s), Order(s) or Direction(s) to the respondent authorities to quash the office order dated 17.12.2022 contained in memo no. 250 whereby the petitioner's bid in NIT No. 10/2022-23 at serial no. 9 has been rejected and the petitioner has been



blacklisted for a period of 10 years without issuance of any show cause notice;

(ii) To issue an appropriate Writ(s), Order(s) or Direction(s) to the respondent authorities for providing the petitioner with an opportunity of hearing before taking any coercive and harsh action against the petitioner.

(iii) To issue an Writ(s), Order(s) or Direction(s) to the respondent authorities for keeping the letter dated 17/12/2022 as contained in memo no. 250 in abeyance till the final adjudication of this case;

(iv) To issue an Writ(s), Order(s) or Direction(s) to the respondent authorities to restore the petitioner's bid pursuant to NIT No. 10/2022-23; and

(v) To pass any other appropriate Writ(s), Order(s) or Direction(s) that this Hon'ble Court may deem fit on the facts and in the circumstances of the case."

03. One of the ground in support of the prayer is that he has not been heard and behind the back of the petitioner certain material information is stated to have been taken by the concerned respondent and proceeded to blacklist the petitioner.

04. In the facts and circumstances of the case and the fact that petitioner has not been heard in the matter, petitioner has made out *prima facie* case. Accordingly, impugned order dated 17.12.2022 (Annexure-P4) stands set aside reserving liberty to the



concerned respondent to proceed in accordance with law within a reasonable period of time from the date of receipt of this order.

05. With the aforesaid observations, the present petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

