

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4823 of 2023

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Neha Singh Wife of Sri Sudarshan Kumar Singh, Resident of Swaraj Sadan,
Anand Vihar Colony, Kazipur, P.S. Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
5. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
6. The Principal Secretary, Public Health and Engineering Department, Government of Bihar, Patna.
7. The Principal Secretary, Rural Engineering Organization, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan
For the Respondent/s : Mr. P.K. Shahi (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 13-07-2023 In the instant petition, petitioner has prayed for the
following relief :

*“ (i) Quashing of the Office
Order No. 154 dated 18.06.2015 as
contained in Memo No. 5403 by
which, without any authority of law,
new corrupt practices have been
defined and period of blacklisting in*



connection with the corrupt practices have been prescribed contrary to the express terms of the Standard Bidding Documents;

(ii) Subsequent order contained in Memo No. 909 dated 7.12.2015 of the Water Resources Department, Government of Bihar by which the order no. 154 dated 18.06.2015 issued by the Road Construction Department has been adopted in the Water Resources Department, Government of Bihar prescribing mandatory periods of black listing as a punishment in cases of the Commission of the corrupt practices; and

(iii) Direction upon the Respondents to stay the operation of the Office Order No. 154 dated 18.06.2015 as contained in Memo No. 5403 and consequential Memo No. 909 dated 17.12.2015.”

2. The petitioner has assailed certain conditions imposed in the policy decision of the State which would be affecting such of those persons who are likely to be blacklisted.

3. In the present case, the petitioner has not challenged the blacklisting Order so as to interfere with the



policy decision. Therefore, the present petition is premature.

4. Accordingly, the present petition stands disposed of reserving liberty to the petitioner to question the validity of the policy decision of the State dated 18.06.2015 vide Memo No. 5403 as well as Memo Nos. 154 dated 18.06.2015 and consequential Memo No. 909 dated 17.12.2015, these are all policy decision of the State as and when petitioner is balcklisted and when cause of action accrued to her. .

5. Accordingly, the present petition stands disposed of.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Skm/chandan/-

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