

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1167 of 2018

In
Civil Writ Jurisdiction Case No.11752 of 2018

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Sunil Kumar Singh S/o Late Balram Singh, R/o Mohalla Text Book Colony,
Keshri Nagar, P.O. and P.S.- Shastri Nagar, District- Patna, office Address
Aprajita, Shri Krishnapuri, District- Patna.

... .. Petitioner-Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department,
Government of Bihar, Patna.
3. The Engineer-In-Chief, Public Health Engineering Department, Government
of Bihar, Patna.
4. The Executive Engineer, P.H. Division, Motihari, Station Road, Belisarai,
Pani Tanki, P.S.- Mufasil, District-Motihari.

... .. Respondents-Respondent/s

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Appearance :

For the Appellant/s : None
For the Respondent/s : Mr. S.Raza Ahmed -AAG5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-07-2023

The appeal is filed against the judgment dated
02.07.2018 passed by the learned Single Judge in CWJC No.
11752 of 2018 refusing to interfere with the order of blacklisting
as produced at Annexure-3 dated 13.10.2017.

2. None appeared for the appellant when the matter
was called in the morning and the matter was kept aside and
again was called for hearing twice when too there was no
representation on behalf of the appellant.



3. We have perused the records and heard the learned counsel for the State. There were two contentions raised by the appellant before the learned Single Judge, that no hearing having been afforded to the appellant and there being no specific show cause notice prior to the order of debarment.

4. Even before the learned Single Judge it was pointed out by the respondents that a show cause notice was issued on 22.07.2017 since the appellant had only completed 3.32% of the work which was required to be completed by 23.11.2017. The impugned order on 13.10.2017 was passed after verifying the work which again was completed only up to 10%. In fact, there was a letter written by the appellant dated 29.07.2017 by which he committed that 60% of the work would be completed by the last week of December, 2017 and the remaining 40% by the last week of May, 2017 (sic 2018). This clearly indicates that the work was not completed as per the schedule.

5. The learned Single Judge found that there is absolutely no reason why the writ jurisdiction should be invoked, especially when the commitment made by the appellant was not complied with and also by reason of the delay in challenging the order.



6. We find no reason to entertain the appeal and
dismiss the same.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
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