

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11594 of 2016

=====

M/s Kalyani Construction through its (Owner), Shiv Shankar Prasad Singh, @
Shiv Shankar Singh, S/o Late Maheshwari Prasad Singh, resident of Mohalla-
New Area, Tank Road, Gaya-P.S.-civil Lines, District-Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Government of Bihar,
Rural Works Department, Bisheshwaraiya Bhawan, Bailey Road, Patna
2. The Chief Engineer- 1 Rural Works Department, Bisheshwaraiya Bhawan ,
Bailey Road, Patna
3. The Superintending Engineer, Rural Works Department, Works Division,
Rajauli, District-Gaya
4. The Executive Engineer, Rural Works Department, Division, Rajauli,
District-Gaya

... .. Respondent/s

=====

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Sadanand Paswan, GP 29

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL JUDGMENT

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

Date : 04-05-2023

None appears for the petitioner.

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

“That this writ application is being file in
nature of writ of certiorari for quashing the order dated
27.6.2016 issued under the signature of Chief
Engineer-1, Rural Works Department, Bihar, Patna by
which and where under the petitioner of the petitioner
was recommended for list of debar due to pending ow
work of Package No. BR-25R-392 (Sirdala Gaya Road
to Khatangi) under PMGSY. The date for completion



of work is 22.01.2016. He further directed to file your reply within a week as to why your name will be registered on the list of debar and disqualify you in future Tender and for issuance of any appropriate writ or writs, order or orders, directions or directions, as your lordships may deem fit and proper.”

3. Petitioner has assailed the notice dated 27.06.2016 proposed to debar the petitioner insofar as pending work of Package No. BR-25R-392 (*Sirdala Gaya Road to Khatangi*) under PMGSY scheme.

4. The present petition is premature for the reasons that the petitioner has assailed the notice. Notice could be interfered only on two grounds namely if there is any violation of rules in issuing notice or notice is issued by an incompetent authority. Neither of the ingredients is highlighted in the pleadings, therefore, the present petition stands dismissed as premature reserving liberty to the petitioner to challenge the final order if it is passed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.05.2023
Transmission Date	NA

