

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15718 of 2016

=====

M/s Kumar A. S. Construction W/o Shri Anuj Kumar Singh Resident of
Mohalla - Ashok Nagar, Bhatt Bigha, Gaya, P.S. Rampur, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Rural Works Department,
Government of Bihar, Patna.
2. The Engineer in Chief Rural Works Department, Government of Bihar,
Patna
3. The Chief Engineer - 1, Rural Works Department, Government of Bihar,
Patna
4. The Superintending Engineer, Rural Works Department, Work Circle Gaya,
District Gaya
5. The Executive Engineer, Rural Works Department, Gaya Division, District
Gaya
6. The Executive Engineer, Rural Works Department, Tekari Division, District
Gaya

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Dubey, Advocate Mr. Mamta Vijay, Advocate Mr. Uma Shankar Singh, Advocate
For the Respondent/s	:	Mr. Kameshwar Prasad Gupta, GP-10 Mr. Virendra Kumar, AC to GP-10

=====

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

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

4 09-05-2023 In the instant petition, petitioner has prayed for the
following relief(s):-

“(I) For issuance of an appropriate writ/writs, order/orders and/or direction/directions for quashing the letter contained in memo no. 7567 dated 22.06.2016 (Annexure-3) issued by Rural Works Department by which the petitioner has been declared defaulter



and she has been debarred from further contract due to not completion of 04 contractual works of construction of road i.e. (i) Dumrawan road to Garwa Asnauli to Amjhar of R.W.D. Works Division Gaya. (ii) Barorah to Bela of R.W.D. Works Division Gaya. (iii) Gurua Guraru main road to Dev Kali High School in Guraru Block of R.W.D. Works Division Tikari. (iv) Varma More to Mahuli Bhaya Kormathu Tilauri in Gurua Block of R.W.D. Works Division Tikari. Though, as per progress report of august 2016 construction of Barorah to Bela and Gurua Guraru main road to Dev Kali High School in Guraru have been completed, Varma More to Mahuli Bhaya Kormathu Tilauri in Gurua Block 90% has been completed and Dumrawan road to Garwa Asnauli Amjhar 80% has been completed.

II. For issuance of direction to allow the petitioner for participating in future tenders on undertaking of petitioner to complete the remaining work in question within a period of 15-20 days after over of rainy season by staying the impugned order contained in memo no. 7567 dated 22.06.2016.

III. For any other relief/reliefs for which the petitioner is entitled in the eye of law.”

2. During pendency of the present petition, the petitioner is stated to have completed all balance work. In this regard, the petitioner is at liberty to make representation so as to get his name deleted from the debarment list. If such a representation is submitted, the concerned authority shall



examine the petitioner's grievance and redress the same within a period of three months from the date of receipt of this order.

3. Accordingly, writ petition stands disposed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Himanshu/-
Ashish/-

U			
---	--	--	--

