

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14271 of 2023**

Madan Kumar Son of Rajdeo Roy, Resident of Ladugarh, P.S. Janki Nagar,  
District- Purnea, Bihar.

... .. Petitioner/s

Versus

1. The Bihar State Educational Infrastructure Development Corporation Ltd. (A Government of Bihar Undertaking), Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004 through its Managing Director.
2. The Managing Director, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004.
3. The Chief Engineer, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Prabhat Ranjan, Advocate  
For the Respondent/s : Mr.Girijish Kumar, Advocate

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

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

3      02-11-2023                      In the instant petition, petitioner has prayed for the  
following relief(s):-

*“(i) Quashing of the Notice to Show Cause dated 25.01.2023 contained in Letter No. 732 by which, the Chief Engineer beyond authority of law has directed the petitioner to furnish reply as to why for the allegation of submission of false experience Certificate in a tender process, action of blacklisting for a period of 10 years be not taken in terms of Corporation's Contractors Registration Rules, 2012*



*(as amended) by 41<sup>st</sup> Meeting of the Board of Director vide Agenda No. 12/41;*

*(ii) Quashing of the Consequential Office Order No. 122 dated 11.05.2023 contained in Memo NO. 4009 dated 11.05.2023 by which the Chief Engineer on instructions of the competent authority has blacklisted the Registration of the petitioner for a period of 10 years on the allegation of submission of false experience Certificate in terms of Corporation's Contractors Registration Rules, 2012 (as amended) by 41<sup>st</sup> Meeting of the Board of Director vide Agenda No. 12/41;*

*(iii) Quashing of consequential Office Order No. 184 dated 28.06.2023 as contained in Memo No. 5267 dated 28.06.2023 by which, the Chief Engineer after obtaining approval from the competent authority proceeded to reject the appeal filed by the petitioner on nonest grounds;*

*(iv) Restraining the Respondents from giving effect to the order of blacklisting contained in Memo No. 122 dated 11.05.2023 during the pendency of the present application and/or without the leave of this Hon'ble Court;*

*(v) Declaration to the effect that the impugned order of blacklisting dated 11.05.2023 as contained in Memo No. 122 would not be an impediment in consideration of the tender submitted by the petitioner prior to such blacklisting."*

2. We have allowed identical matter on 28.08.2023



passed in CWJC No. 9769 of 2023. The same has not disputed by the learned counsel for the respondents.

3. In the light of these facts and circumstances, petitioner has made out a case so as to interfere with the impugned order dated 25.01.2023 *vide* Letter No. 732; Office Order No. 122 dated 11.05.2023 as contained in Memo No. 4009 and Office Order No. 184 dated 28.06.2023 as contained in Memo No. 5267 and it is set aside in the light of earlier order dated 28.08.2023 passed in CWJC No. 9769 of 2023, whatever the direction or observation made in the aforementioned decision stands applicable to the present case.

4. Accordingly, the present writ petition stands allowed.

**(P. B. Bajanthri, J)**

**(Arun Kumar Jha, J)**

abhishekk/-

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