

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18321 of 2022

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Kamlesh Yadav, aged about 47 years, Male, Son of Jagdish Yadav Resident of
Village- Kurmawan, P.O.- Kurmawan, P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Planning and Development
Department, Government of Bihar, Patna.
2. The Chief Engineer, Local Area Engineering Organization, Vishweshwariya
Bhawan, Bailey Road, Patna.
3. The Chief Engineer (Work K Management), Road Construction Department,
Bihar, Patna, Vishweshwariya Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, Local Area Engineering Organization,
Magadh Division, Work Division, Gaya.
5. The Executive Engineer, Local Area Engineering Organization, Work
Division, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Anjani Kumar (Aag4)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 04-04-2023

Heard learned counsels for the respective parties.

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

“That this is an application for issuance of an
appropriate writ or writs for quashing Letter No. 1500 dated
22.7.2022 by which the registration of the petitioner has been
Class IV contractor of Road Construction Department (RCD)



has been recommended to be put in the Blacklist by respondent No. 2, and also for quashing letter no. 4781(2) dated 22.8.2022 by which the registration of the petitioner has been black listed and he has been debarred from participating in the Tender by respondent no. 3 for any other relief or reliefs for which the petitioner is entitled under the law.”

3. Perusal of the records, it is evident that only against proposal for blacklisting, the petitioner has invoked remedy under Article 226 of the Constitution, therefore, it is premature.

4. It is also contended that such proposal is without notice. In this regard, the concerned authority is hereby directed to take note of, before taking any further action, whether petitioner is required to be heard in the matter or not?

5. With the above observation, writ petition stands disposed of as premature.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.04.2023
Transmission Date	NA

