

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.321 of 2024

Jai Prakash Chandra Son of Sri Sakaldeep Rai, Resident of Sanjay Nagar,
Road No. 06, P.S.- Jakkanpur, District- Patna, Bihar.

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-05-2024

The petitioner is aggrieved by the fact that Annexure P/5, show cause dated 25.01.2023 was not issued in his address.

The petitioner challenges Annexure-P/4, blacklisting order on the ground that the show cause notice was never received by him.

2. By order dated 05.03.2024, we directed the learned Counsel appearing for the respondents to produce some



evidence as to the service of notice effected and also the address which was projected by the petitioner in the tender documents.

3. A supplementary counter affidavit has been filed producing Anneuxre-R/3E series which are the documents submitted by the petitioner himself. The address shown in the bid submitted is that in which the show cause notice was sent; as seen from Anneuxure-P/5. The Learned Counsel for the petitioner then submits that his registration certificate has a different address as is evident from Annexure P/2.

4. Admittedly, the registration was obtained even before the tender submission. In such circumstances, there is absolutely no reason why the petitioner should not be addressed in the address shown in the tender documents.

5. As far as service is concerned, the learned Counsel for the respondents submits that it was sent to the e-mail I.d. of the contractor, again as evidenced from the document submitted by the tenderer. The e-mail sent to him with the show cause notice is produced as Annexure R3/G.

6. In such circumstances, we do not think that the petitioner has a valid case to challenge the order of blacklisting passed on the ground of violation of principles of natural justice. However, the petitioner is left remedy to approach the appellate



authority and he would be entitled to file an appeal if it is so desired.

7. The writ petition stands closed reserving the above liberty.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.05.2024
Transmission Date	

