

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1261 of 2024

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Rambrichha Yadav @ Rambriksh Yadav @ Ram Briksh Yadav, Male, aged about 56 years, S/o Kari Prasad Yadav, R/o Village and P.O.-Pipraun, P.S.-Laukahi, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Rural Works Department, Govt.of Bihar, Vishwaswraiyya Bhawan, Baily Road, Patna-15.
2. The Secretary, Rural Works Department, Govt.of Bihar, Vishwaswraiyya Bhawan, Baily Road, Patna-15.
3. The Engineer in Chief, Rural Works Department, Govt.of Bihar, Vishwaswraiyya Bhawan, Baily Road, Patna-15.
4. The Executive Engineer, Rural Works Department, Works Division-Navgachhaiya, District Bhagalpur, Govt. of Bihar.
5. The Certificate Officer, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate.

For the Respondent/s : Mr. Standing Counsel 5.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 29-04-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“(i) for quashing the entire proceeding initiated through Certificate Case No. 01/2021-22 and specially the order dated 20.09.2022 by which objection petition dated 16.10.2021 and 07.03.2022 filed by the petitioner has been dismissed and directed to deposit the certificate amount i.e. Rs. 69,22,210/- by respondent No. 5 although the Memo of Appeal dated 05.08.2021 was pending



before the respondent No. 2 and which is still pending.

(ii) For quashing the blacklisting order dated 06.07.2021 bearing memo No. 1929 passed by the respondent No. 3 by which petitioner has been blacklisted as government contractor for next 10 years without being giving reasonable opportunity of being heard.

(iii) For restraining the respondent No. 5 (Certificate Officer, Bhagalpur) from taking any coercive action against the petitioner during pendency of this writ application.

(iv) To hold and declare that the concerned Respondents are answerable/accountable in public law for abuse and misuse of their statutory power and to fix reasonable compensation against the erring respondents payable to the petitioner.”

3. Learned counsel appearing on behalf of the petitioner has stated that even though the petitioner has filed an appeal before the second respondent herein against the order dated 06.07.2021 in Memo No. 1929 passed by the Respondent No. 3 whereby the petitioner has been blacklisted as a government contractor for the next ten years. Learned counsel has stated that on the one hand the appeal filed by the petitioner is not been disposed of, on the other hand the certificate proceedings have been initiated against the petitioner vide



Certificate Case No. 01/2021-22 and the Certificate Officer has rejected the objections filed by the petitioner vide order dated 20.09.2022.

4. Having regard to the same, without going into the merits or demerits of the case, the Respondent No. 2 is directed to dispose of the appeal filed against the black-listing order dated 06.07.2021 bearing Memo No. 1929 as expeditiously as possible preferably within a period of eight weeks from the date of the receipt of the copy of this order.

5. It is needless to mention that before passing any order, the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the party.

6. With the above directions, the present Writ Petition stands **disposed of** to the extent indicated.

(A. Abhishek Reddy, J)

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