

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4973 of 2012

VINOD KUMAR RAI Son Of Sri Vasudeo Rai Resident Of Mohalla Bari
Bagh Lanka, P.S. Gazipur, District Gazipur Uttar Pradesh

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Road Construction Department, Government Of Bihar, Patna
3. The Engineer In Chief Road Construction Department, Government Of Bihar, Patna
4. The Executive Engineer, Sahabad Road Division, Road Construction Department, Division Ara Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prabhat Ranjan, Advocate
		Mr. Chandan, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-02-2024

The petitioner is concerned with the impugned order, which debars him permanently, from participating in any tender process. The petitioner was debarred pursuant to an order cancelling his contract. He challenged the cancellation unsuccessfully, as is indicated in Annexure-1. Subsequently, he has challenged the debarment.

2. We have heard learned learned counsel for the petitioner and Mr. P.K. Shahi, learned Advocate General



appearing on behalf of the State.

3. We see, that the debarment has been put in effect for the last more than 10 years. There is no provision to debar a contractor indefinitely. In such circumstance, we feel that there is sufficient punishment imposed on the petitioner by debarment effected.

4. We set aside the impugned order, but however, make it clear that it does not inure to the benefit of the petitioner, to seek any consideration in the years from 2012 to the date of this judgment.

5. The writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.02.2024
Transmission Date	NA

