

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1548 of 2018

In
Civil Writ Jurisdiction Case No.4597 of 2018

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1. The State of Bihar through the Principal Secretary, Water Resource Department, Government of Bihar, Patna
 2. The Principal Secretary, Water Resource Department, Government of Bihar, Patna
 3. The Engineer in Chief Middle Water Resource Department, Government of Bihar, Patna
 4. The Executive Engineer, Flood Control Division, Begusarai

... .. Appellant/s

Versus

M/s R. K. Constructio Son of Sri Ram Naresh Prasad Singh R/o Village-Ratanpur, P.O.+P.S.-Begusarai, District-Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vivek Prasad, GP-7
Mr. Binod Kumar Sinha, AC to GP-7
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-02-2024

The appeal is filed against the judgment of the learned Single Judge interfering with the blacklisting awarded. The blacklisting was for a period till he completes the work awarded, in which work there was a default alleged.

2. In fact, the default alleged and the blacklisting was subject of an arbitration proceedings. The award was passed on 11.03.2014, finding that the petitioner was not liable for non-completion of work and that the petitioner was not liable for



breach of contract. The finding rendered by the Arbitral Tribunal was that the work became incapable of performance.

3. Noticing the same, the learned Single Judge interfered with the blacklisting order.

4. Before us, the learned Government Advocate was not able to point out any challenge made to the arbitration award, in which circumstances we find no reason to consider the appeal.

5. The appeal would stand dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
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