

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11361 of 2023

Shivdutt Projects (India) Private Limited Office Address- Nile Complex Shop No. 02, Kantatoli, P.S.- Lower Bazar, District and Town- Ranchi, Jharkhand through its Director, Arunjay Kumar Singh, Gender- Male, aged about- 41 years, Son of Late Shivdutt Singh, Resident of - N.G. Garden, Road No. 5, New Nagar, Bandhgari, Dipatoli, P.S.- Sadar, District and Town- Ranchi, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Vishweshwariya Bhawan, Bailey Road, Patna.
2. The Secretary, Building Construction Department, Vishweshwariya Bhawan, Bailey Road, Patna.
3. The Engineer-in-Chief, Building Construction Department, Vishweshwariya Bhawan, Bailey Road, Patna.
4. The Chief Engineer (North), Building Construction Department, Vishweshwariya Bhawan, Bailey Road, Patna.
5. The Superintending Engineer, Building Construction Department, Building Circle, Darbhanga.
6. The Executive Engineer, Building Construction Department, Construction Division, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate
For the Respondent/s : Mr. Uday Shankar Sharan Singh, GP-19

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-04-2024

The petitioner is aggrieved with the debarment as ordered in Annexure-P/10. The counter affidavit also indicates that the debarment is till the work awarded is completed, since delay has been occasioned.

2. We specifically asked the learned Counsel appearing for the respondents as to the power to make such a



debarment when the work is ongoing.

3. The learned Counsel could not show us any such power conferred on the authorities.

4. Definitely, the work awarding authority could stipulate a time within which the work has to be finished and if it is not so finished, then blacklisting/debarment could be considered. However, we do not think that there can be a blacklisting/debarment from other works till the work is completed.

5. It is submitted by the learned Counsel that the debarment is also displayed in the website of the respondents which restricts the petitioner from applying for other works.

6. In the above circumstances, we set aside the letter no. 74 dated 13.01.2023 (Annexure-P/10) and direct the respondents not to display the petitioner as blacklisted or debarred in its website.

7. Accordingly, the present writ petition stands allowed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.04.2024.
Transmission Date	NA

