

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12461 of 2024

M/s P.K. Singh Construction Pvt. Ltd. at Radha Nagar, Ward No. 15, Kabir Chowk, Saharsa, Bihar through its Managing Director Sri Pankaj Kumar Singh, male, aged about 46 years, son of Late Mundhir Kumar Singh, resident of Mohalla- Radha Nagar, Ward No. 15, Kabir Chowk, Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Building Construction, Government of Bihar, Patna.
2. The Secretary, Department of Building Construction, Government of Bihar, Patna.
3. The Chief Engineer-cum- Under Secretary cum Special Secretary, Building Construction Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate
For the Respondent/s	:	Mr. Kinkar Kumar, Standing Counsel (9)
		Mr. Yogesh Kumar, AC to SC-9

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-08-2024 The petitioner is concerned with Annexure-P/3 and Annexure-P/5 orders of the Original Authority and the Appellate Authority debarring the petitioner for a period of three years, which is the effect of the suspension order passed. The learned Counsel for the petitioner submits that, just as in Annexure-P/6 judgment, the order passed has absolutely no reasons assigned.

2. At the outset, we notice that the challenge to the



appellate order passed on 12.06.2023 is raised more than a year afterwards by the present writ petition. Further, it is to be noticed that in the cited judgment, at Annexure-P/6, the blacklisting was for ten years, and it was categorically found that there were no reasons stated in the order passed as also no show-cause notice issued. The cited judgment set aside the order of blacklisting on grounds of violation of principles of natural justice, reasons having not been disclosed in the order and the principles of proportionality, since punishment of ten years was held to be unduly harsh.

3. In the present case, the contention taken against the petitioner by the respondent-authority was that an experience certificate produced along with the tender was forged. A meeting was held, show-cause notice was issued, and after considering the objection of the petitioner, the petitioner was debarred. The petitioner's registration was suspended for three years.

4. We find that there is no reason for detailed grounds to be mentioned in the order since the allegation is only of forgery, which has been found against the petitioner. The petitioner also does not have a case that the experience



certificate was genuine.

5. As we earlier noticed, there is also considerable delay in the petitioner approaching this Court. On all the above grounds, we find no reason to entertain the writ petition.

6. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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