

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12089 of 2024

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Dhirendra Construction Pvt. Ltd. S.K. Nagar Motihari, District-East Champaran through its Proprietor, Mr. Rajeev Kumar, aged about 38 Years, Male, son of Yamuna Singh, Resident of Road No. 2 Bankers Colony, Banjaria, Laxman Chowk, PO and PS-Banjaria, District-East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.
4. The Chief Engineer (North), Road Construction Department, Government of Bihar, Patna.
5. The Superintending Engineer, Road Construction Department, North Bihar, Road Circle, Motihari.
6. The Executive Engineer, Road Construction Department, Work Division, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Respondent/s : Advocate General

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-08-2024 The petitioner is concerned with Annexure P/7 which is an order passed for suspending the registration for one year.

2. The fact remains that the petitioner had responded to the show cause notice and sought for time on ground of illness, however, the authority passed the order without



considering the request made for time. Hence there was no objection placed on record nor was the petitioner afforded a hearing. Hence we are of the opinion that the order has to be set aside on the technical ground of violation of principles of nature of justice.

3. We direct that Annexure-P/7 order be considered as a show cause, objection shall be filed within a period of two weeks from today and petitioner shall also be afforded hearing after which orders can be passed at the discretion of the authority.

4. We make it clear that we have not made any observation on the merits of the matters.

5. The writ petition stands allowed.

6. Learned counsel for the petitioner is permitted to make necessary corrections in the name of the department arrayed as respondents.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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