

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4443 of 2015

M/s I V R C L Ltd. Having its Bihar Regional Officer at H. No. 14, Falt No. A1, Kamta Sdan Apartments, kamta Singh Kam Lane, Near Oro Dental Clinic, East Boring Canal Road, Patna, Bihar-800001, through the Regional Head, Shri Rajesh Lal Singh, S/o Shri Bachchu Lal Singh.

... .. Petitioner/s

Versus

1. Bihar Urban Infrastructure Development Corporation Ltd. having its office at 303, Maurya Tower, Budha Marg, Patna-800001, through the Managing Director.
2. The Managing Director, Bihar Urban Infrastructure Development Corporation Ltd., having its office at 303, Maurya Tower, Budha Marg, Patna-800001
3. The Chief General Manager, Bihar Urban Infrastructure Development Corporation Ltd. having its office 303, Maurya Tower, Budha Marg, Patna-800001
4. The General Manager Works, Bihar Urban Infrastructure Development Corporation Ltd. having its office at 303, Maurya Tower, Budha Marg, Patna-800001
5. The General Manager Tech, Bihar Urban Infrastructure Development Corporation Ltd. having its office at 303, Maurya Tower, Budha Marg, Patna-800001
6. The Project Director, SIU - 5, Bihar Urban Infrastructure Development Corporation Ltd. having its office at 303, Maurya Tower, Budha Marg, Patna-800001

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Namrata Mishra, Advocate Mr.Alok Ranjan, Advocate
For BUDCO	:	Mr. Lalit Kishore, Sr. Advocate Mr. Rabindra Kumar Priyadarshi, Advocate Mr. Kanishka Shankar, Advocate
For the State	:	Mr. Sunil Kumar Mandal, Advocate Mr. Bipin Kumar AC to SC-3
For the Nagar Parishad	:	Mr. Rabindra Priyadarshi, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-03-2024

The petitioner is concerned with an order passed on



18.10.2013, which is produced as Annexure-30. The impugned order debars the petitioner for the reason of non-compliance of the terms of the agreement entered into between the parties indefinitely.

2. The learned counsel for the petitioner has sought time on the ground that the company is under liquidation, which we reject, since, the challenge to the impugned order does not depend upon the company's liquidation. In any event, we see that the order was passed in 2013, and the petitioner company has suffered the blacklisting order for almost 11 years. It is for the respondent authority to consider whether at this point, blacklisting need be continued or not.

3. Considering the gravity of the offences alleged against the petitioner, the respondent authority definitely could fix a specific period within which the blacklisting could have been imposed, as has been held in the case of ***Kulja Industries Vs. Chief General Manager, Western Telecom Project, Bharat Sanchar Nigam Limited & Ors*** reported in (2014) 14 SCC 731.

4. In the above circumstances, we close the writ petition with a direction to the respondent authority, who issued Annexure-30 to consider lifting of blacklisting based on the aforesaid decision of the Hon'ble Supreme Court, on a



representation being filed by the petitioner. We do not specify the time for filing the representation only because the company is said to be under liquidation. If the company is revived, at that point, the company could approach the respondent authority for the above relief.

5. The writ petition stands disposed of with above liberty.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.03.2024
Transmission Date	NA

