

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.449 of 2024

=====

Rajeev Kumar Singh S/o Shyamanand Singh, Resident of Dahiyawan Tola,
Bye Pass Road, Distt- Chapra, PIN- 841301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Govt. of Bihar, Patna, PIN 800015.
2. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Rural Works Department, Govt. of Bihar, Patna.
4. The Engineer-in-Chief, Rural Works Department, Vishweshariya Bhawan Bailey Road, Govt. of Bihar, Patna 800015.
5. The Chief Engineer, Rural Works Department, Govt. of Bihar, Vishweshariya Bhawan Bailey Road, Patna 800015.
6. The Superintending Engineer, R.W.D. Works Circle, Chapra, Saran, Bihar.
7. The Executive Engineer, RWD, Works Division, Chapra-2 at Chapra.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjay Singh, Sr. Advocate with Mr. Suresh Pd.Singh No.1, Advocate
For the Respondent/s	:	Mr. P. K. Shahi, A.G.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-04-2024

The subject matter of the writ petition is a contract which was notified by the Rural Works Department. In another contract issued on the very same set of facts *inter alia* on the very same allegation of kidnapping, there was a writ petition filed bearing CWJC No. 11169 of 2023. The same was disposed of by judgment dated 28.03.2024 in Rajeev Kumar Singh Vs. The State of Bihar & Ors. The facts are identical in both the writ petitions and the order of rescinding is also identical wherein after finding there is no cause for interference to the rescinding of the contract, all the same directed that the blacklisting



carried out without a proper notice be re-considered.

2. In the present case the order of blacklisting is Annexure-14. We extract paragraph-20 of the earlier judgment:

“20. Having answered the contentions, we are still of the opinion that the blacklisting was done without a proper notice. Hence, only on that ground, we set aside Annexure-10 order but in the light of the contentions of the petitioner having been rejected, we deem it to be a show-cause notice issued under Rule 11(a) (i), (iii) and (vi). The petitioner would be granted three weeks' time to file his objections and on filing the objections the petitioner would be afforded a hearing after which the authority would pass a reasoned order, in accordance with law.”

3. The very same directions would apply in the present case also and we dispose of the present writ petition in terms of the judgment dated 28.03.2024. We leave the petitioner to agitate any dispute arising from the contract including its cancellation, if so desired, in arbitration.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	23 .04.2024
Transmission Date	

