

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2222 of 2025

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JDM Engineering and Construction Private Limited, through its Director Chakardhar Choudhary, Male, aged about 47 years approximately, Son of Chandra Kant Chaudhary, R/o ward no. 08, Keota, Post- Keota, P.S.- Dalsinghsarai, District- Samastipur, Bihar (848114).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Rural Works Department, Government of Bihar, Patna.
4. The Executive Engineer, Works Division Khagaria, Rural Works Department, Government of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sriram Krishna, Advocate Mr. Amarjeet, Advocate Mr. Prabhat Kumar Singh, Advocate
For the Respondent/s	:	Mr. Ajit Kumar, Advocate

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 13-05-2025 Heard Mr. Sriram Krishna, the learned Advocate

for the petitioner and Mr. Ajit Kumar, the learned

Advocate for the State.

2. The petitioner is aggrieved by the order dated

26.07.2024 passed by the Engineer-in-Chief-cum-

Additional Commissioner-cum-Special Secretary, Rural



Works Department, Government of Bihar, Patna whereby the petitioner/company has been blacklisted for a period of three years as also the order dated 03.12.2024 passed by the Additional Chief Secretary, Rural Works Department, Government of Bihar by which the appeal of the petitioner against the order of blacklisting has been rejected.

3. It appears that after the petitioner was found to be successful in his bid, an agreement was entered with him on 11.10.2022 for completing the work under the tender. The work had to be commenced from 11.10.2022 and had to be completed by 10.04.2024.

4. It further appears that despite clear schedule of the work, the petitioner never moved in that direction, inviting cautionary from the authorities for commencing and concluding the work forthwith, failing which the Company would be recommended for debarment.

5. This also did not make the petitioner speed up the work and after 13 months of such warnings, referred



to above, the petitioner could complete only 10% of the work as per the schedule.

6. Several reminders were given to him with clear understanding and intendment that if the schedule date of completion of work would not be adhered to, the respondents would be compelled to rescind the agreement; recover the money from him which has been paid towards completion of work and also blacklist and debar him or put him on the holiday list.

7. None of these could help the authorities get the work done by him.

8. Ultimately, on the recommendation of the authorities and after issuance of notice and finding the reply of the petitioner to be absolutely untenable, the order of blacklisting was passed.

9. It further appears from the record that the agreement also has been rescinded and the Rural Works Department after calculating the outstanding amount of money, which is recoverable from the petitioner, has



intimated him to deposit that amount within a specified period, failing which the amount shall be recovered under a certificate proceeding.

10. The petitioner's naivete is reflected in his declaration that he did not understand the terms of the agreement and his opposition to the schedule of rates, to which he had agreed.

11. We find no reason to interfere with the decision of the authorities in blacklisting the petitioner for three years.

12. Since the petitioner has not chosen to challenge the order of rescission of the agreement with him or the decision of recovering the amount due to the petitioner, we need not comment on the same.

13. The writ petition stands dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Rajesh/Bibhash

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