

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8572 of 2025

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Ramesh Prasad Gupta Son of Late Laxman Prasad Gupta, Resident of 104,
Tari Mohalla, Near Akhtar Hind Press, P.S Ara Town, District- Bhojpur,
Bihar, 802301

... .. Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna
2. The Engineer In-Chief, Minor Water Resources Department, Government of Bihar, Patna
3. The Chief Engineer, Minor Water Resources Department, Patna, Government of Bihar, Patna
4. The Superintending Engineer, Minor Irrigation Circle, Patna, District Patna, Bihar.
5. The Executive Engineer, Minor Irrigation Division, Rohtas, District Rohtas, Bihar,
6. Arvind Kumar Choudhary, Son of Sudhir Choudhary, at Present Posted at Minor Irrigation Division, Rohtas, District- Rohtas, Bihar

... .. Respondents

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Appearance :

For the Petitioner : Mr. Prabhat Ranjan, Advocate
For the State : Mr. Addl. Advocate General (04)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 01-09-2025 In the instant writ petition, petitioner has prayed

for the following relief(s):-

“(i) Quashing of the ex-parte order bearing Letter No. 643 dated 12.04.2025 by which the Executive Engineer has debarred the petitioner with immediate effect till the completion of the work without any authority of law and against the own



administrative record of the department;

(ii) Restraining the Respondents from giving effect to the Order bearing Letter No. 643 dated 12.04.2025 during the pendency of the present writ application and/or the without the leave of this Hon'ble Court."

2. From perusal of the impugned action of the respondent dated 12.04.2025, *prima facie*, it is evident that it is without hearing the petitioner and so also it was passed on 12.04.2025. On the other hand, petitioner had submitted his reply on 22.04.2025, pursuant to the notice dated 24.09.2024. Therefore, the petitioner has made out a ground so as to interfere with the impugned action insofar as not following or adhering to the principle of natural justice.

3. Accordingly, impugned action dated 12.04.2025 stands set aside. The matter is remanded to the concerned authority to proceed to pass a fresh order after due consideration of the notice dated 24.09.2024 read with the petitioner's reply dated 22.04.2025 within a period of three months from the date of receipt of this order. Pending



Interlocutory Applications, if any stand disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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