

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12200 of 2025

Radha Mohan Singh Son of Late Sita Ram Singh, Resident of Mohalla Sir Ganesh Datta Nagar, Road No 2, PS Bhagwanpur, District Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Culture, New Delhi.
2. The Director General Archaeological Survey of India, Dharohar Bhawan, 24 Tilak Marg, New Delhi.
3. The Director (Horticulture) Archaeological Survey of India, 24 Tilak Marg, Dharohar Bhawan, New Delhi.
4. The Additional Director General, (Horticulture) Archaeological Survey of India, 24 Tilak Marg, Dharohar Bhawan, New Delhi.
5. The Additional Director, General Administration, Archaeological Survey of India, 24 Tilak Marg, Dharohar Bhawan, New Delhi.
6. The Superintending Archaeologist, Archeological Survey of India, Patna Circle Patna, Bihar.
7. The Director Conservation, Archeological Survey of India, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amar Nath Singh, Adv
For the Respondent/s	:	Mr. Satyabir Bharti, Sr. CGC
		Mr. Ravinder Kumar Sharma, CGC

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 09-09-2025 In the instant petition, the petitioner has prayed for
the following reliefs:

(i) For issuance of an appropriate writ, order or direction, directing the Respondents Authority to refund Rs. 6,90,000/- Six Lacs Ninety Thousand to the petitioner at the rate of 6% interest per



annum since the date of deposit which is security deposit (against the horticulture works which is forfeited due to debarment dated 12.02.2024) in the light of order dated 27.09.2024 passed by the Hon'ble Division bench in C.W.J.C.no. 18260 of 2023 in which it is observed that debarment is closed since 24.11.2024. DFDR No. 069975 dated 25.05.2023 is amounting to Rs. 6,00,000/- Six Lacs and (2) FDR no. 699796 dated 26.06.2023 amounting to Rs. 90,000/- ninety Thousand only.

(ii) Further for any relief(s) for which the petitioner is entitled in the facts and circumstances of the case.

2. The petitioner was initially debarred for unlimited period and it was modified for a period of two years which was subject matter of CWJC No. 18260 of 2023 and it was decided on 27.09.2024 at the behest of the learned counsel for the petitioner to the extent that debarment order ceases w.e.f. 24.11.2024. Debarment order is coming in the way of releasing of EMD and other issues. Hence, the present writ petition has been filed.

3. As long as debarment order has been affirmed rightly or wrongly, the petitioner is not entitled to refund of EMD. In all fairness, he should have requested the co-ordinate



Bench while deciding CWJC No. 18260 of 2023 dated 27.09.2024 to decide on merits to the extent that petitioner’s right would be affected for other claims. Therefore, the petitioner cannot resort to piecemeal relief in filing number of CWJC. Taking note of these facts and circumstances, the present writ petition stands disposed of reserving liberty to the petitioner to file Civil Review in CWJC No. 18260 of 2023.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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