

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14191 of 2025

Ramjee Singh and Company a registered partnership having its registered office at Village Rampur, P.O. and P.S.- Barahra, Ara, District- Bhojpur, Bihar- 802311 through its authorized partner namely Ashok Kumar Singh (Male), aged about 50 years, Son of Late Janardan Prasad Singh, resident of Village- Rampur, P.O. and P.S.- Barahra, District- Bhojpur, Bihar- 802311.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Water Resource Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resource Department, Government of Bihar, Patna.
3. The Additional Principal Secretary, Water Resource Department, Government of Bihar, Patna.
4. The Engineer-in-Chief (Head Office), Water Resource Department, Government of Bihar, Patna.
5. The Chief Engineer, Irrigation Creation, Water Resource Department, Siwan.
6. The Superintending Engineer, Flying Squad Circle- 01, Water Resource Department, Government of Bihar, Patna.
7. The Flying Squad, Circle- 01, Water Resource Department, Government of Bihar through the Assistant Engineer, Flying Squad, Circle- 01, Water Resource Department, Government of Bihar, Patna.
8. The Assistant Engineer, Flying Squad Division- 04, Water Resource Department, Government of Bihar, Patna.
9. The Executive Engineer, Flying Squad Circle- 01, Water Resource Department, Government of Bihar, Patna.
10. The Executive Engineer, Water Resource Department, Saran Canal Division, Mairwa (Siwan).

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Ashish Giri, Sr. Advocate
	:	Ms. Riya Giri, Advocate
	:	Mr. Sumit Kumar Jha, Advocate
	:	Mr. Pratik Raj, Advocate
For the Respondent/s	:	Mr. Advocate General

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



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 15-09-2025 In the instant writ petition, the petitioner has prayed
for the following relief(s):-

“i) To issue a writ/order/ direction in the nature of certiorari to set aside order contained in Memo No.3441 dated 24.07.2025 issued under the signature of the Engineer-in-Chief (Head Office), Water Resource Department, Government of Bihar, Patna by which the petitioner has been blacklisted for a period of 5 years. (Annexure-P 9..Page No-318..).

ii) To produce the entire enquiry report submitted by the Flying Squad, Circle -01, Water Resource Department, Government of Bihar, Patna and quash the same as it is arbitrary, malafide, perverse and violative of principles of natural justice and Article 14 of the Constitution of India.

iii) To produce the order of the competent authority by which decision has been taken to blacklist the petitioner as mentioned in the Memo No.3441 dated 24.07.2025 issued under the signature of the Engineer-in-Chief (Head Office), Water Resource Department, Government of Bihar, Patna, and quash the same being



violative of principles of natural justice and Article 14 of the Constitution of India.

iv) To pass interim /ex-parte interim order staying Memo No.3441 dated 24.07.2025 issued under the signature of the Engineer-in-Chief (Head Office), Water Resource Department, Government of Bihar, Patna by which the petitioner has been blacklisted for a period of 5 years, during the pendency of the present writ application and/or the bid of the petitioner be considered in tenders, where the petitioner has already participated as mentioned in Annexure-P-14., Page 388, during the pendency of the present writ application.

v) To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.

2. The petitioner has not approached this Court with clean hands in view of paragraph-39 of the writ petition. Paragraph-39 reads as under:-

“39. That in the facts and circumstances of the case the petitioner has got no other equally efficacious remedy other than to move before this Hon'ble Court in its writ jurisdiction.”

3. Today, learned Advocate General submitted on



instruction that petitioner has invoked remedy before the Appellate Authority under Rule 11(d) of the Bihar Contractor Registration Rules, 2007 on 04.08.2025 and is pending consideration. In the light of these facts and circumstances, the petitioner has invoked remedy, when one of the remedy is pending consideration before the concerned Authority. It is not proper to entertain present CWJC.

4. Be that as it may, we direct the Appellate Authority to decide the petitioner's representation/application dated 04.08.2025 strictly in accordance with law within a period of two weeks from the date of receipt of this order.

5. With the above observation, the writ petition stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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