

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3486 of 2026

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Dilip Kumar, S/o Ram Sakal Shahi, R/o Akharaghat, Nazirpur, Hanuman Mandir, Gayatri Mandir, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Engineer-in-chief-cum-Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Public Health Engineering Department, Govt. of Bihar, Patna.
5. The Zonal Chief Engineer, Public Health Engineering Zone, Muzaffarpur.
6. The Superintending Engineer, Public Health Engineering Circle, Darbhanga.
7. The Superintending Engineer, Public Health Engineering Circle, Muzaffarpur.
8. The Executive Engineer, Public Health, Division Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Pandey, Advocate
For the Respondent/s : Mr. Additional Advocate General (4)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

2 17-03-2026 Heard learned counsel for the parties.

2. The following reliefs have been sought in the
present writ application:

*“(i) For quashing/setting aside the office order
no.146 dated-26.12.2025 as contained in memo
no.6276 dated-26.12.2025 issued by the office of
the Executive Engineer, Public Health Division,*



Samastipur and

(ii) quashing/setting aside the office order no. 147 dated 26.12.2025 as contained in memo no. 6277 dated 26.12.2025 issued by the office of the Executive Engineer, Public Health Division, Samastipur respectively by which the petitioner has been debarred from taking part in any next tender/bid offered by the respondents due to not making payment of electricity bill, which is said to be due till date, whereas the electric bill in both the cases has already been paid by the petitioner and the same is already intimated to the authorities concerned and the issue is settled despite that the order of debarment is not recalled/rescind till date in a wrong, arbitrary and whimsical manner

(iii) And/or be pleased to pass such other order/orders which may be deemed fit and proper in the facts and circumstances of the case and allow the petitioner to take part in any open tender without any hindrance.”

3. The Office Order No. 146 dated 26.12.2025, as contained in Memo No. 6276, is under challenge in the present writ application, which is extracted hereinbelow:-

"अतः उपर्युक्त वर्णित तथ्यों के आलोक में संवेदक द्वारा एकरानामा के शर्तों के निष्पादन में चूक के लिए सम्यक विचारोंपरांत एवं बिहार ठिकेदारी निबंधन नियमावली 2007 के कंडिका- ॥ (क) की उप कंडिका- ॥ तथा सामान्य निदेश की कंडिका 3.3 एवं 4.8 के आलोक में संवेदक / एजेंसी Sri Dilip Kumar, Vill-Akharaghat Nazirpur,



Dist- Muzaffarpur, Pin-842001, Mob-9430458921, Email- Dilip_mfp@yahoo.co.in (सूचीबद्धता संख्या-266/2017) को अगले निविदा में भाग लेने से वंचित (डिबार) किया जाता है। इसके बावजूद भी यदि एक सप्ताह के अंदर इनके द्वारा विद्युत विपत्र का भुगतान नहीं किया जाता है तो उक्त एकरारनामा को विखंडित कर प्रमंडल में जमा राशि को राजसात कर ली जाएगी। जिसके लिए संवेदक स्वयं जिम्मेवार होंगे एवं भविष्य में इनका कोई भी दावा मान्य नहीं होगा। यह आदेश तत्काल प्रभाव से लागू होगा।"

4. Learned counsel for the petitioner submits that the electricity dues in question have already been paid, as is apparent from Annexure-P6, Annexure P7 and Annexured-P8 of the writ application. However, despite deposit of such dues, the aforesaid order dated 26.12.2025 (Annexures-P3 and P4) have not yet been recalled by the respondents till date.

5. Considering the facts and circumstances of the case, the petitioner is directed to file a representation before Respondent No. 8.

6. In the event any such representation is filed, Respondent No. 8 shall consider and dispose of the same by passing a reasoned and speaking order, in accordance with law, affording due opportunity of hearing to all the concerned stakeholders, within a period of one week from the date of filing of such representation.



7. Accordingly, the present writ application stands disposed of.

8. Pending application(s), if any, shall stand disposed of.

(Sudhir Singh, J)

(Shailendra Singh, J)

Sujit/-

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