

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3779 of 2026

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Maa Jwala Enterprises, a sole proprietorship having its office At and P.O.-
Tiwari Tola, District-Saharsa (Bihar), Pincode-852201, through its sole
proprietor, namely, Hari Shankar Jha, aged about 44 years (Male), Son of
Hemant Kumar Jha, Resident of Tiwari Tola, Ward No. 33, Nagar Parishad,
P.S. and District-Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Rural Works
Department, Government of Bihar, 5th Floor, Visvesvaraya Bhawan, Nehru
Path, Patna, Bihar-800015.
2. The Additional Chief Secretary, Rural Works Department, Government of
Bihar, 5th Floor, Visvesvaraya Bhawan, Nehru Path, Patna, Bihar-800015.
3. The Secretary, Rural Works Department, Government of Bihar, 5th Floor,
Visvesvaraya Bhawan, Nehru Path, Patna, Bihar-800015.
4. The Deputy Secretary, Rural Works Department, Government of Bihar, 5th
Floor, Visvesvaraya Bhawan, Nehru Path, Patna, Bihar-800015.
5. The Engineer in Chief cum Additional Commissioner cum Special Secretary,
Rural Works Department, Government of Bihar, 5th Floor, Visvesvaraya
Bhawan, Nehru Path, Patna, Bihar-800015.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri. Sr. Adv. Ms. Shrishti Singh, Adv. Mr. Pranav Kumar, Adv.
For the Respondent/s	:	Mr. P.K. Shahi, AG

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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 19-03-2026 Heard learned counsel for the parties.

2. Following are the reliefs sought in the present
application :

*"(i) To issue an appropriate writ, order,
direction in the nature of certiorari for quashing the
order bearing memo no. 12458 dated 11.12.2025
issued under the signature of the Engineer-in-Chief-*



cum-Additional Commissioner-cum-Special Secretary, Rural Works Department, Government of Bihar, whereunder the petitioner has been blacklisted for a period of 2 years (Annexure-P/6, Pg.24).

(ii) To issue an appropriate writ, order, direction in the nature of certiorari for quashing the order bearing memo no. 1925 issued on 13.02.2026 under the signature of the Secretary, Rural Works Department, Government of Bihar, on 06.02.2026 whereunder the order bearing memo no. 12458 dated 11.12.2025 of blacklisting the petitioner for a period of 2 years has been upheld (Annexure-P/9, Pg.30).

(iii) To issue an appropriate writ, order, direction in the nature of mandamus commanding the respondents to alternatively, impose the punishment of blacklisting for a period of 3 months as has been done in the case of similarly situated bidders for the same charge of uploading forged experience certificate in the tenders floated by the same department.

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

3. By filing the present writ application, the petitioner seeks quashing of the order contained in Memo No. 12458 dated 11.12.2025 (Annexure -P/6), whereby the petitioner's firm has been blacklisted for a period of two years. Against the said order, the petitioner preferred an appeal, which was also rejected by the appellate authority by order contained in Memo No. 1925 dated 13.02.2026 (Annexure-P/9).

4. Learned counsel for the petitioner submits that for similar allegations, altogether six persons were blacklisted for a period of two years, and in the case of five persons, the appellate authority had reviewed the order of blacklisting and



reduced the period of blacklisting from two years to three months vide Annexure-P/10 series. However, the appellate authority, without considering Annexure-P/10 series, passed the order in respect of the petitioner affirming the blacklisting for a period of two years. As such, the petitioner claims the right of parity.

5. Considering the aforesaid submissions, the order contained in Memo No. 1925 dated 13.02.2026 (Annexure-P/9) is set aside, and the matter is remitted back to the appellate authority to re-examine the matter and pass an appropriate order in accordance with law, taking into account Annexure-P/10 series, preferably within a period of four weeks from the date of receipt/production of a copy of this order.

6. With the aforesaid observation and direction, this application stands disposed of.

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

(Sudhir Singh, J)

(Shailendra Singh, J)

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