

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4578 of 2026

M/s Parmar Enterprises through its Partner Kripakant Singh, aged about 54 years, Male, son of Ramashish Singh, Resident of Ward No. 12, Near Mother Teresa School, Chinvaniya, Motihari, P.S. Paharpur, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Cum Appellate Authority, Rural Works Department, Government of Bihar, Patna.
2. The Engineer, In-Chief, Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer-5, Muzaffarpur, Rural Works Department, Government of Bihar, Patna.
4. The Superintending Engineer, Works Circle- Muzaffarpur, Rural Works Department, Government of Bihar, Patna.
5. The Executive Engineer, Works Division - Muzaffarpur (West), Rural Works Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan, Advocate
For the Respondent/s : Mr. Advocate General

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

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

2 30-03-2026 Heard the parties.

2. Following is the relief sought for in the present writ
application:-

*“(i) Quashing of the Order bearing
Memo No. 10276 dated 24.09.2025 (Annexure P/6)
by which the Engineer In-Chief Cum Registering
Authority on the basis of absolutely incorrect fact
that no Reply to Show Cause Notice has been
furnished and thus, without considering the Reply*



filed by the petitioner has proceeded to blacklist the Registration of the Petitioner bearing Registration No. 1250011 for a period of 2-years;

(ii) Quashing of the consequential Order bearing Memo No. 1755 dated 10.02.2026 (Annexure P/10) by which, the Departmental Secretary Cum Appellate Authority, being completely oblivious of the grounds of the Appeal and failing to maintain comity in the matters of parity in punishment has dismissed the Appeal and confirmed the order of blacklisting for a period of 2-years; and

(iii) Restraining the Respondents from giving effect to and taking any coercive action(s) pursuant to the Order bearing Memo No. 10276 dated 24.09.2025 and Order bearing Memo No. 1755 dated 10.02.2026 during the pendency of the present writ application and/or the without the leave of this Hon'ble Court."

3. Learned counsel for the petitioner submits that the petitioner had participated in the tender process pursuant to NIT dated 09.05.2025. During verification of the documents, the Experience Certificate submitted by the petitioner was alleged to be forged, amounting to violation of Clause 4.7(i) of the CMBD. A show cause notice was issued, to which the petitioner submitted a reply dated 04.09.2025 (Annexure-P/5). It is submitted that the incorrect certificate was uploaded inadvertently due to an error on the part of an employee at the cyber cafe, and there was no intention on the part of the



petitioner to submit any forged document. It is further submitted that in similar cases, the Appellate Authority has reduced the period of blacklisting from two years to a substantially lesser duration (Annexure-P/11 series). On the ground of parity, the petitioner has challenged the impugned orders.

4. Having considered the submissions advanced and upon perusal of the materials on record, this Court finds that the issue involved is confined to the aspect of proportionality of punishment and parity with similarly situated cases. In such circumstances, it would be appropriate that the matter is reconsidered by the Appellate Authority on this limited ground.

5. Accordingly, the order dated 10.02.2026 (Annexure P/10) is set aside and the matter is remitted back to the Appellate Authority for fresh consideration. The Appellate Authority may also take into consideration the judgment rendered in **Lucknow Kshetriya Gramin Bank & Anr. Vs. Rajendra Singh**, reported in **(2013) 12 SCC 372** on the aspect of proportionality of punishment and thereafter pass a reasoned and speaking order in accordance with law, after affording due opportunity of hearing to all the stakeholders preferably within a period of four weeks from the date of receipt/production of a copy of this order.



6. With the aforesaid observations and directions, the present writ application stands allowed.

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

(Sudhir Singh, J)

(Shailendra Singh, J)

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