

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7679 of 2026

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M/S T. K. Construction through its Proprietor Rahul Kumar, S/o Ashok Kumar Singh, Resident of 243, Modern English School, Sri Krishna Puri-Nawada, New Area, Nawada, P.S.- Nawada Sadar, Bihar- 805110, having its registered office at Sri Krishna Puri, New Area, Nawada, Bihar -805110.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sourav Suman, Adv. Ms. Pragati Patra, Adv. Mr. Pranav Raj, Adv.
For the Respondent/s	:	Mr.Government Pleader (20)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 25-06-2026 The present writ petition has been filed seeking the following reliefs:-

“1(I). For issuance of an appropriate writ/order/direction in the nature of Certiorari for quashing and setting aside the impugned reasoned order contained in Letter No. 2949, dated 09.03.2026 (as contained in ANNEXURE-P/4), whereby the petitioner has been blacklisted for a period of two years being blatantly illegal, without jurisdiction, mala-fide & violative of Bihar Contractors Registration Rules, 2007 and in complete contravention of principles of natural justice.

(II). For issuance of an appropriate writ/order/direction in



the nature of Certiorari for quashing and setting aside the communication contained in Letter No. 4605, dated 16.04.2026 (as contained in ANNEXURE-P/6), issued by the Engineer-in-Chief, Rural Works Department, Patna, Bihar, whereby the representation/appeal of the petitioner has been rejected on technical grounds, being arbitrary, illegal and violative of principles of natural justice;

(III). For issuance of an appropriate writ order/direction(s) in the nature of mandamus for a direction to the concerned Respondents to revoke the Order of Blacklisting of the petitioner and to enable to him to participate in future/upcoming tenders.;

(IV). For issuance of an appropriate writ order/direction(s) in the nature of Mandamus for a mandatory injunction commanding the concerned respondents to forthwith withdraw, rescind and/or cancel the Order of blacklisting from participating in tender for 2 years and to allow him to participate in other/ different tender(s) issued by the concerned respondents;

(V). For issuance of an appropriate writ order/direction(s) for granting the stay on Letter No. No. 2949 dated 09.03.2026 till the final disposal of this present matter;

(VI). For issuance of an appropriate writ/order/direction in the nature of Mandamus, directing the respondents to consider and dispose of the representation dated 23.03.2026 (as contained in ANNEXURE-P/5) submitted by the petitioner in accordance with law.”

2. At the outset, the learned counsel for the Respondents has



pointed out that the appeal filed by the petitioner against the order of blacklisting dated 09.03.2026, passed by the Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna is defective, inasmuch as firstly it has been filed after expiry of the period of limitation, as provided for under Rule 11(E) of the Bihar Registration of Contractors Rules (Rural Works Department), 2007 and secondly, the same has not been filed before the appropriate authority.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file fresh appeal before the Secretary, Rural Works Department, Government of Bihar, Patna within a period of two weeks from today.

4. Having regard to the facts and circumstances of the case, we deem it fit and proper to grant liberty to the petitioner to file appropriate appeal within a period of two weeks from today before the Secretary, Rural Works Department, Government of Bihar, Patna and in case such an appeal is filed within a period of two weeks from today, the Secretary, Rural Works Department, Government of Bihar, Patna shall consider the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order within a period of four



weeks, thereafter.

5. Accordingly, the present writ petition stands disposed of
on the aforesaid terms.

(Mohit Kumar Shah, J)

(Raj Kumar, J)

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