

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8660 of 2025

M/s Ganpati Infra, a Partnership Firm, (formerly known as V.S. Associates) having its Registered Office at Gola Road More, 2nd Floor, Vivekanand Villa, Ram Jaipal Nagar, Danapur, Patna through its Partner Amarjeet Ravi, Male, aged about 37 years, Son of Sri Vinay Kumar Chaudhary, Resident of Vivekanand Villa, Ram Jaipal Nagar, P.S. Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
2. The Bihar Medical Services and Infrastructure Corporation Limited, (A Government of Bihar Undertaking) having its Registered office at 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna through its Managing Director.
3. The Managing Director, the Bihar Medical Services and Infrastructure Corporation Limited (A Government of Bihar Undertaking) having its Registered Office at 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna.
4. The Chief General Manager, the Bihar Medical Services and Infrastructure Corporation Limited (A Government of Bihar Undertaking) having its Registered Office at 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna.
5. The Deputy General Manager (Design), the Bihar Medical Services and Infrastructure Corporation Limited (A Government of Bihar Undertaking) having its Registered Office at 2nd and 3rd Floor, Swasthya Bhawan, Behind IGIMS, Sheikhpura, Patna.
6. The Deputy General Manager (Project), Bihar Medical Services and Infrastructure Corporation Limited (A Government of Bihar Undertaking), Regional Office, Bhagalpur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. Vikash Kumar, Advocate

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

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 08-05-2026

Heard learned counsel for the parties.



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

“(I) Quashing of the Order contained in Letter No. 844 dated 28.04.2025 (Annexure P/25) passed by the Chief General Manager (Project) upon approval by the Managing Director of the Corporation to the extent that the petitioner has been blacklisted for a period of two years in terms of Clause 11 (Ka) (ii) of the Bihar Contractors Registration Rule, 2007; and

(II) Restraining the Respondents from giving effect to the Letter No. 844 dated 28.04.2025 during the pendency of the present writ application and/or without the leave of this Hon’ble Court.”

3. A limited prayer has been made challenging the impugned order, whereby the petitioner has been blacklisted for a period of two years on the allegation of the violation of Clause 11 (Ka) (ii) of the Bihar Contractors Registration Rules, 2007.

4. Learned counsel for the petitioner submits that certain facts are relevant for adjudication of the present case. It is submitted that prior to the impugned order of blacklisting, the petitioner had already been debarred *vide* Letter No. 252 dated 12.03.2024. The said order of debarment was challenged before this Court in C.W.J.C. No. 8269 of 2024 and the same was set aside *vide* Order dated 25.03.2025.

5. It is further submitted that thereafter, a fresh show-



cause was issued *vide* Letter No. 458 dated 15.04.2025 proposing blacklisting of the petitioner. One of the grounds taken therein was the earlier blacklisting of the petitioner *vide* Letter No. 252 dated 12.03.2024, despite the fact that the said order had already been set aside by a Coordinate Bench of this Court.

6. Learned counsel further submits that pursuant to the aforesaid show-cause notice, the petitioner submitted a detailed reply dated 21.04.2025 which was duly received by the authorities on the same date. However, while passing the impugned order contained in Letter No. 844 dated 28.04.2025, the authorities proceeded on the premise that no reply had been submitted by the petitioner to the show-cause notice. *Prima facie*, the said finding appears to be factually incorrect.

7. It is submitted that in the reply dated 21.04.2025 (Annexure-P/24), the petitioner had specifically brought certain relevant facts to the notice of the authority concerned and had also sought certain documents from the respondents. However, without considering the same, the impugned order has been passed which, in the opinion of this Court, suffers from non-application of mind and arbitrariness.

8. Considering the aforesaid facts and circumstances,



the impugned order is hereby set aside. The matter is remitted back to the authority concerned, who shall issue a fresh show-cause and, after granting adequate opportunity of personal hearing to the petitioner, pass a reasoned and speaking order in accordance with law.

9. With the aforesaid observations and direction, the present writ application stands allowed.

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

(Sudhir Singh, J)

(Shailendra Singh, J)

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