

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16318 of 2024

Yugal Brij Construction Pvt. Ltd. through its Proprietor-Cum- Business partner Yugal Kishore Singh, Male, aged about 55 years, S/O-Chandraket Narayan Singh, R/O village- Chainpur Charihara, PO and PS-Mashrak, Dist-Saran, Bihar-841417.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal-cum-Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Additional Chief Executive Officer-cum-Secretary, Bihar Rural Works Development Department , Patna.
3. The Chief Engineer, Rural Works Department, Government of Bihar, Patna.
4. The District Magistrate, Saran at Chapra
5. The Superintending Engineer, Rural Works Department, Works Circle, Chapra.
6. The Executive Engineer, Rural Works Department, Works Division, Marhaura, Saran.
7. The Divisional Accounts Officer, Rural Works Department, Works Division, Marhaura, Saran.
8. The Assistant Engineer, Rural Works Department, Works Sub-Division, Panapur, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate
For the State	:	Mr. Kinkar Kumar, SC-9
		Ms. Sushmita Sharma, AC to SC-9
		Ms. Vagisha Bhagya, AC to SC-9

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

5 25-02-2026 Heard learned counsel for the parties.

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

“1. The answering respondents may



kindly be directed to, finalize the petitioner's claim with regards to the quality works performed as per the works order/ direction of the respondents and no any kind of dis-satisfaction has ever been made/recorded in this regards till date.

II. The answering respondents may kindly be directed to extend logical end to the site report (Annexure-5, Page-25) issued with regard to the completion of work, so assigned to the petitioner at the website of Rural Works Department, Govt. of Bihar.

III. The answering respondents also may kindly directed go through the petitioner's representation/Bill in question so submitted, time to time, prior to finalizing the claim in question and if so required an opportunity of hearing also may kindly be extended prior to finalizing the claim/liquidation of amount in favour of the present petitioner on the ground of work performed satisfactorily.

IV. Any other relief or reliefs also may kindly be allowed to the present petitioner for which he be found entitle in the interest of justice."

3. Having regard to the nature of the dispute and the submissions advanced on behalf of the parties, this Court is of the considered view that the petitioner may avail the alternative remedy available to him under the relevant Rules.

4. So far as the order of blacklisting is concerned, the petitioner is granted liberty to prefer an appeal under Rule 11(e) of the Bihar Registration of Contractors Rules, 2007 which is



reproduced hereinbelow:-

“(e) The contractor can file an appeal within thirty days against the punishment related black-listing/demotion/suspension before the Commissioner and Secretary/ Secretary of the Department.”

5. The petitioner may prefer such appeal within a period of 30 days from today. In the event the appeal is filed within the aforesaid period, the appellate authority shall consider the grievance of the petitioner and pass a reasoned and speaking order, in accordance with law, after affording adequate opportunity of hearing to all the stakeholders.

6. So far as the remaining grievance of the petitioner is concerned, it shall be open to the petitioner to invoke Rule 9(i) of the Bihar Works Contracts Dispute Arbitration Tribunal Act, 2008, which is reproduced hereinbelow:-

“9. Reference to Tribunal and making of award- (1) where any dispute arises between the parties to the contract, either party shall, irrespective of whether such contract contains an arbitration clause or not, refer, within one year from the date on which the dispute has arisen, such dispute in writing to the Tribunal for arbitration in such form and accompanied by such documents or other evidence and by such fees, as may be prescribed.”

7. With the aforesaid observations and liberty, the



present writ application stands disposed of.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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