

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.510 of 2026

Dharmendra Kumar Son of Late Jairam Sharma, Resident of Village
Khudauri, P.S. Hulasganj, District- Jehanabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Minor Irrigation Department, Government of Bihar,
Patna, Patna.
3. The Engineer-In-Chief, Minor Irrigation Department, Government of Bihar,
Patna, Patna.
4. The Chief Engineer, Minor Irrigation Department, Government of Bihar,
Patna.
5. The Chief Engineer (Planning and Monitoring and Geology), Minor
Irrigation Department, Government of Bihar, Patna.
6. The Superintending Engineer (Headquarters) Monitoring, Minor Irrigation
Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr. P.K. Shahi, Advocate General

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

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

2 02-02-2026 The present writ application has been filed for the
following reliefs:

*(i) Quashing of the Order No. 67 as
contained in Letter No. 1276 dated 10.12.2025
(Annexure P/9) by which the Chief Engineer
(Respondent No. 5) without considering the Reply/*



Objection filed by the petitioner and traveling beyond the relied upon provisions in the Show Cause Notice has blacklisted the Registration of the petitioner for a period of 10-years in terms of Clause 11 of the Bihar Contractors Registration Rules, 2007 read with Order No. 154 dated 18.06.2015 issued by the Road Construction Department;

(ii) Declaration to the effect that no rights and liabilities could accrue out of Order No. 154 dated 18.06.2015 as the same cannot be treated as the decision/order of the State Government for the reason that the same has not been issued in the name of Governor of Bihar nor has been authenticated as per the Rules of authentication of Government Orders and has further not been published in the Gazette of the State; and

(iii) Restraining the Respondents from giving effect to the Office Order No. 67 dated 10.12.2025 during the pendency of the present writ application and/or the without the leave of this Hon'ble Court.

2. The petitioner has challenged Letter No. 1276 dated 10.12.2025, which has been annexed as Annexure-P/9 to the writ application. The relevant extract of which is reproduced hereunder:-

“अतः उपरोक्त परिप्रेक्ष्य में वर्णित योजनाओं की निविदा में फर्जी अनुभव प्रमाण पत्र संलग्न करने के कारण संवेदक श्री धर्मेन्द्र कुमार, ग्राम खुदौरी, पो० थाना-हुलासगंज,



जिला-जहानाबाद, पिन कोड 804407 (निबंधन सं०-ल०ज०सं०वि०-01/2019 श्रेणी-1) को बिहार ठीकेदारी निबंधन नियमावली, 2007 के नियम-11 (क) की उप कंडिका (vii) एवं पथ निर्माण विभाग, बिहार, पटना के आदेश सं०-154 दिनांक-18.06.2015 की कंडिका-08 के उप कंडिका- 04 के तहत अगले 10 वर्षों के लिये कालीकृत किया जाता है। ”

3. Learned counsel for the State submits that the petitioner has an alternate remedy available before the competent authority under Rule 11(घ) of the Bihar Contractor Registration Rules, 2007, which is extracted hereinbelow:-

11(घ) दिये गये दण्ड के विरुद्ध, संवेदक द्वारा, तीस दिनों के अन्दर आयुक्त एवं सचिव के समक्ष अपील दायर किया जा सकेगा।

4. Considering the fact that an efficacious alternative remedy is available to the petitioner, this Court is not inclined to entertain the present writ application on merits.

5. Accordingly, the present writ application is disposed of with liberty to the petitioner to prefer an appeal in accordance with Rule 11(घ) of the Bihar Contractor Registration Rules, 2007, within a period of 30 days from today.

6. The petitioner shall be at liberty to raise all questions of fact as well as questions of law before the Appellate Authority.

7. In the event an appeal is filed, the authority



concerned shall consider and decide the same preferably within
a period of eight weeks from the date of its filing.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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