

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.365 of 2026**

Yaduvansham Infrastructure Private Limited, through its Managing Director Alok Raj, Gender-Male, aged about -31 years, Son of Ram Pravesh Yadav, Resident of Ward No. -4, Shir Sai Complex, Gaushala Road, P.S.-Chitragupta Nagar, District and Town-Khagaria, Pin-851204.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Secretary, Rural Works Department, Visheweshraiya Bhawan, Bailey Road, Patna.
3. The Engineer-in-Chief, Rural Works Department, Visheweshraiya Bhawan, Bailey Road, Patna.
4. The Chief Engineer-4, Rural Works Department, Purnea.
5. The Superintending Engineer, Rural Works Department, Works Circle, Saharsa.
6. The Executive Engineer, Rural Works Department, Works Division, Khagaria.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Lal Babu Singh, Advocate  
For the Respondent/s : Mr. Pratik Kumar, AC to GA 11

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**and**  
**HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)**

2      30-01-2026                      Heard learned counsel for the parties.

2. The following reliefs have been sought in the  
present writ application:

*“(i) For quashing of the Reasoned Order No. 10025 (contained in Memo No. 10025) dated 18-09-2025 passed by the Respondent Engineer-In-Chief (Annexure P/5) whereby the petitioner has been blacklisted for a period of two years under Clause 11(ka) (ix) and (kha) (ii) of the Notification No. 8123 dated 19-12-2007 of the Rural works Department, Bihar.*



*(ii) For quashing of the Appellate order dated 05.12.2025 (contained in Memo No. 12403 dated 10-12-2025) (Annexure P/7) whereby the Respondent Secretary has dismissed the appeal preferred by the petitioner and affirmed the order of blacklisting dated 18.09.2025 contained in Reasoned Order No. 10025.*

*(iii) For a direction to the Respondents not to act upon the order of the blacklisting dated 18.09.2025 contained in Reasoned Order No. 10025 and the appellate order dated 05.12.2025 contained in Memo No. 12403.*

*(iv) For appropriate declarations that -*

*a) The impugned order of blacklisting dated 18.09.2025 and the Appellate order dated 05-12-2025 are violative of principles of natural justice and fair play.*

*(b) The impugned appellate Order dated 05-12-2025 is highly discriminatory and violative of Article 14 of the Constitution of India as the same Respondent Secretary has set aside or reduced the period of the blacklisting for period of only few months with respect to other contractors on the same allegation/charge.*

*(v) For a direction to the respondents to allow the petitioner in participating in the future tender during pendency of the present writ application.*

*(vi) For any other relief(s) or consequential reliefs) to which the petitioner may be found entitled to in the facts and circumstances of this case.”*

3. Learned counsel for the petitioner submits that the order of blacklisting has been passed without affording any opportunity of hearing to the petitioner. It is further submitted that in cases of other contractors, arising out of similar facts and circumstances, the Appellate Authority has either set aside the orders of blacklisting or reduced the period thereof. The said orders have been brought on record as Annexure-P/8 series. Learned counsel for the petitioner contends that petitioner's case deserves consideration on the principle of parity and that the



period of blacklisting may accordingly be reduced.

4. From a perusal of the order under challenge dated 18.09.2025 and the appellate order dated 05.12.2025, it appears that the petitioner has been blacklisted for a period of two years on the ground that the experience certificate uploaded by him was found to be forged and no clarification was submitted by the petitioner despite opportunity having been granted.

5. Under the Bihar Registration of Contractors Rules (Rural Works Department), 2007, issued vide Notification No. 8123 dated 19.12.2007 by the Rural Works Department, Government of Bihar, provisions have been made for blacklisting and suspension of registered contractors. Rule 11 thereof reads as under:

*“11. Black-Listing and Suspension:-*

*(a) Contractors registered in any of the classes shall be liable for black-listing or demotion to a lower class or suspension for a specified period if he personally or any partner of the firm or company, or any of its director(s) or employee(s) or representative(s) indulge(s) in any of the following malpractices:-*

*(i) xx      xx      xx*

*(ii) xx      xx      xx*

*(ix) On submission of false or forged security as earnest money and forged documents.*

*(b) (i) xx      xx      xx*

*(ii) If any person as mentioned in clause 11(a) of this rule indulges in any malpractice as described in sub-clause(vi) to (xii) of 11(a) then the concerned contractor may be black-listed.”*

6. Considering the facts and circumstances of the



case, this Court is of the view that the ends of justice would be met if the petitioner is granted an opportunity to place his case before the competent authority.

7. Accordingly, the petitioner is directed to file a fresh representation before Respondent No. 2, who in the event of such representation is filed, shall consider the same and pass an appropriate order in accordance with law, after granting an opportunity of hearing to all the stakeholders.

8. With the aforesaid observation and direction, the present writ application stands disposed of.

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

**(Sudhir Singh, J)**

**(Alok Kumar Pandey, J)**

sujit/-

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