
(2018) 02 UK CK 0034
In the Uttarakhand High Court
Case No : 480 of 2018

M/a Girdhar Singh Adhikari	Vs	APPELLANT
State of Uttarakhand and others		RESPONDENT

Date of Decision : 26-02-2018

Acts Referred:

Citation : (2018) 02 UK CK 0034

Hon'ble Judges : Sudhanshu Dhulia

Bench : Single Bench

Advocate : B.S. Adhikari, Anurag Bisaria

Judgement

1. The petitioner is an ""A"" class contractor registered with Public Works Department, State of Uttarakhand. He is aggrieved by the order dated

05.02.2018 as well as the order dated 12.02.2018 by which the petitioner shall not be considered for any further work in Public Works

Department till he completes his ongoing projects with the Public Works Department. Since, the petitioner had applied for the further work and

has been disqualified in the technical bid for the aforesaid reason, he has filed the present writ petitions.

2. Counter affidavits have been filed in Court today on behalf of the respondents, which are taken on record.

3. The petitioner was constructing a road at Bageshwar, which was being constructed under a scheme known as ""Pradhan Mantri Gram Sadak

Yojana"", for which 90 % of the funds come from the Central Government and target is fixed wherein and it has to be finished by March, 2019.

The Public Works Department has categorized all the contractors into four categories i.e. ""A"", ""B"", ""C"" and ""D"", depending upon evaluation of

their work in the ongoing projects. The petitioner falls in category ""C"". Under this category, falls a contractor, who even after lapse of 75% of the

allotted time has not been able to make construction of even 33% of the work. Since the petitioner falls under this category, he has been

temporarily debarred from applying for fresh contract. It is not a case of the petitioner that he has been blacklisted. He will be given work in future,

provided he finishes the ongoing projects. In case the petitioner is awarded another work it will have the same fate as in the ongoing projects.

4. This Court finds no illegality in the orders passed by the respondents.

5. Consequently, writ petitions are liable to be dismissed and are hereby dismissed.

6. Interim orders, if any, stand vacated.