

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 2527 of 2026
With
I.A. No. 4912 of 2026

M/s. S.K. Electricals, having its office at Bye Pass Road, Daltonganj,
through its proprietor Shri Santosh Kumar

... .. Petitioner

Versus

RITES Ltd., having its registered office at SCOPE Minar, Laxmi
Nagar, New Delhi & Ors. Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Pandey Neeraj Rai, Advocate
Mr. Ankit Burman, Advocate
For the Respondent Nos.1 & 2 : Mr. Srijit Choudhary, Advocate

Order No. 02

Dated: 15.04.2026

1. Heard Mr. Pandey Neeraj Rai for the petitioner and Mr. Srijit Choudhary, who appears for the respondent nos. 1 and 2.
2. Issue notice to the 3rd respondent, returnable on 29.04.2026.
3. Learned counsel for the respondent nos. 1 and 2 states that a reply would be filed and served latest by 27.04.2026. He also raises objections to the maintainability or entertainability of this petition.
4. These objections will be considered once the reply is filed.
5. Learned counsel for the petitioner presses I.A. No. 4912 of 2026 seeking interim relief in the matter.
6. However, we are not inclined to grant such interim relief for reasons that we shall briefly indicate hereafter.
7. At the outset, there are serious issues relating to the maintainability or in any event, entertainability of this petition. Secondly, the grant of such interim relief will amount to overlooking of the contractual clauses which, according to the petitioner, are ultra vires, arbitrary

or unconstitutional. Now the learned counsel for the petitioner says that he is not challenging any clauses of the contract.

- 8.** Clause 3(b) of the contract refers to a contractor being declared a 'Poor Performer' as per Clause 52.7 hereinafter (without issuance of any notice in this regard) and shall not be eligible for a period of upto two years, to participate in the tenders of other works which may be invited by RITES Ltd.
- 9.** Besides, in this case, we will have to await the reply of the respondents to consider the petitioner's case that the petitioner has been blacklisted without any notice or compliance with natural justice. Learned counsel for the petitioner admitted that some notices were issued but, according to him, these were only warning notices and not show cause notices. Again, this is a matter which will have to be decided upon full evaluation.
- 10.** At this stage, if the petitioner is allowed to participate in the tender process, then, it would virtually amount to granting the petitioner final relief of ignoring the blacklisting order.
- 11.** For all the above reasons, we decline to grant any ad-interim relief in this matter.
- 12.** I.A. No. 4912 of 2026 stands dismissed.
- 13.** Post the matter on 29.04.2026.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

April 15, 2026
Manish/Ritesh