

Chief Justice's Court

Case :- WRIT - C No. - 35177 of 2023

Petitioner :- M/S Manoj Kumar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Laxmi Kant Shukla, Onkar Nath
Vishwakarma, Sr. Advocate

Counsel for Respondent :- CSC, Abhinava Krishna Srivastava

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Ashutosh Srivastava, J.

Heard learned counsel for the parties.

Challenge in this writ petition is to the impugned order dated 27.9.2023 passed by the Nagar Nigam, Firozabad blacklisting the petitioner from carrying out all the work including the contract which was awarded to it vide order dated 13.6.2023.

Learned counsel appearing for respondent Nos.2 and 3 fairly submits that from the language of the impugned order, it appears that no opportunity was given to the petitioner and that the matter may be relegated back to the Authority, who has passed the impugned order.

Considering the fair submissions made by the learned counsel for the respondent No.2 and 3, the order impugned dated 27.9.2023 is set aside. The matter is relegated to respondent No.2 for passing a fresh order strictly in accordance with law after affording due opportunity of hearing to the petitioner as required under the law or as provided by this Court in the order dated 16.8.2023 passed by this Court in Writ-C No.26513 of 2023 titled as M/s Vimla Devi Contractor v. Nagar Nigam, Firozabad and others. If the petitioner seeks any personal hearing of the matter, the same may also be granted to him.

The writ petition is disposed of in above terms.

It is made clear that this Court has not expressed any opinion on the merits of the case.

Order Date :- 31.10.2023

Kuldeep

(Ashutosh Srivastava, J.) (Pritinker Diwaker, C.J.)