

Court No. - 3

Case :- WRIT - C No. - 10446 of 2023

Petitioner :- M/S Sphere Thermal System Pvt. Ltd. New Delhi Thru. Its Director Sri Krishna Kumar Singh

Respondent :- U.P. State Road Transport Corporation Lko. Thru. Its Managing Director And Others

Counsel for Petitioner :- Sudama Prasad, Rakesh Srivastava

Counsel for Respondent :- Ratnesh Chandra

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for parties.
2. Petitioner has approached this Court challenging the order dated 29.8.2023 whereby security of petitioner's firm is seized by the respondents as well as his contract is closed and his firm is blacklisted. The petitioner is challenging the impugned order to the extent that his firm is blacklisted.
3. Learned counsel for petitioner submits that the impugned order is passed without giving any notice or opportunity of hearing to the petitioner and the notice, which was given to the petitioner, was only for cancellation of contract and lodging of FIR.
4. Sri Ratnesh Chandra, learned counsel for respondents, also could not show from the record that the notice contains any reference of blacklisting.
5. Though by the impugned order, petitioner's firm is blacklisted, but it appears that such an order is passed without describing any period. In the aforesaid circumstances, the impugned order cannot stand.
6. Thus, the impugned order dated 29.8.2023 is set aside to the extent that petitioner's firm is blacklisted by the respondents. It goes without saying that the respondents can, in case they so desire, issue a fresh notice to the petitioner with regard to blacklisting.
7. The writ petition stands ***allowed***.

[Manish Kumar, J.] [Vivek Chaudhary, J.]

Order Date :- 30.11.2023

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