



\$~56

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010410282026

+ **W.P.(C) 12680/2026, CM APPL. 58895/2026, CM APPL. 58896/2026 & CM APPL. 58897/2026**

QUALITY SERVICES AND SOLUTIONS PVT LTD Petitioner
Through: Mr. Sandeep Sethi, Senior Advocate
and Mr. Jayant Mehta, Senior
Advocate with Mr. Kush Chaturvedi,
Ms. Nikita Bhansali, Mr. Syed Faraz
Alam, Ms Ayesha Choudhary,
Mr. Pramothesh Mukherjee,
Ms. Sonali Kumari, Ms. Ishita Singh
Tomar, Mr. Krisna Gambhir,
Ms. Shreya Sethi and Mr. Aryan
Vora, Advocates

versus

**UNION OF INDIA MINISTRY OF POWER &
ORS. Respondents**
Through: Ms. Rukmini Bobde, CGSC with
Mr. Arnav Mittal, G.P., Mr. Vinayak
Aren, Ms. Aishwarya Nigam and
Mr. Amlaan Kumar, Advocates for
R-1 and R-2

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
% **01.09.2026**

CM APPL. 58895/2026 (exemption)

1. Allowed, subject to all just exceptions.



W.P.(C) 12680/2026

2. The present writ petition has been filed seeking the following reliefs:

- a. Issue a writ of Certiorari or any other appropriate writ, order or direction, quashing and setting aside the Impugned Order dated 20.08.2026 (Annexure P-1 hereto) issued by the Central Electricity Authority/Respondent No. 2 directing Respondent No. 3 to suspend the empanelment of the Petitioner as TPSA for the Power and Non-Power Sectors;
- b. Issue a writ of Certiorari or any other appropriate writ, order or direction, quashing and setting aside the consequential Impugned Communication dated 21.08.2026 (Annexure P-1 hereto) issued by Respondent No. 3 to the Petitioner, whereby the Petitioner's empanelment as a Third-Party Sampling Agency for the Power and Non-Power Sectors has been suspended;
- c. Consequently, direct the Respondents to forthwith restore the Petitioner's empanelment as a Third Party Sampling Agency and permit the Petitioner to perform its existing TPA's and enter into fresh TPA's in accordance with the applicable framework;

3. It is stated that the petitioner was empanelled as a Third Party Sampling Agency (TPSA) on 3rd October, 2023 by respondent no.3/Power Finance Corporation Ltd. (PFC) pursuant to a bidding process for a period of five (5) years. The role of the petitioner was collection, preparation and analysis of coal samples at loading end.

4. It is also stated that the petitioner was sent a communication dated 3rd June, 2026 from respondent no.2/Central Electricity Authority (CEA) to which the petitioner sent a detailed response on 5th June, 2026 (*Annexure P-25 to the writ petition*).

5. Subsequently, a communication dated 20th August, 2026 was sent by



respondent no.2/CEA to respondent no.3/PFC calling upon them to suspend the empanelment of the petitioner as a Third Party Sampling Agency (TPSA) for power and non-power sector with immediate effect.

6. Consequent to the aforesaid communication, respondent no.3/PFC sent a communication dated 21st August, 2026 to the petitioner suspending their empanelment.

7. The grievance of the petitioner is that both the communications dated 20th August, 2026 and 21st August, 2026 ('impugned communications') are cryptic and do not consider the detailed response of the petitioner (*Annexure P-25 to the writ petition*).

8. Having heard the counsel for the parties, this Court is of the view that principles of natural justice require that before suspending the empanelment of the petitioner, the response filed by the petitioner, at the very least, should have been considered by the respondents.

9. Consequently, the impugned communications are hereby quashed. The respondents shall pass a fresh speaking order taking into account the response filed by the petitioner at *Annexure P-25 to the writ petition* and after giving hearing to the petitioner.

10. The present writ petition is disposed of in aforesaid terms.

11. All rights, contentions and legal remedies of the parties are kept open.

12. Pending applications stand disposed of.

AMIT BANSAL, J

SEPTEMBER 1, 2026
ds