

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.25269 of 2015

ORDER :

Heard Sri N. Subba Reddy, appearing for Sri S. Chandraiah, counsel for petitioner, and Sri R. Vinod Reddy, counsel for respondents.

2. In this Writ Petition the petitioner challenges the order dt.23.07.2015 and the consequential order dt.31.07.2015 black-listing him on the basis of certain allegations alleging corruption and other irregularities in engagement of contract labour.
3. Sri N. Subba Reddy, counsel for petitioner, contends that without issuing any show-cause notice setting out the allegations or the material on the basis of which such allegations are leveled against the petitioner, the impugned orders have been passed. He placed reliance on the judgment of the Supreme Court in **Gorkha Security Services v. Government (NCT of Delhi) and others** and **Erusian Equipment & Chemicals Ltd. v. State of West Bengal**.
4. In both these decisions, the Supreme Court has held that black-listing has the effect of preventing a person from the privilege and advantage of entering into lawful relationship with the Government for purposes of gains, and fundamentals of fair play require that the person concerned should be given an opportunity to represent his case, before he is to put on a black-list.
5. This legal position is not disputed by Sri R. Vinod Reddy,

counsel for respondents.

6. Therefore, the impugned orders dt.23.07.2015 and the consequential order dt.31.07.2015, are set aside. This will not preclude the respondents from initiating any fresh action for black-listing petitioner subject to complying with requirements of natural justice including issuing a proper show-cause notice containing the imputations against petitioner.
7. Accordingly, the Writ Petition is allowed as above. No order as to costs.
8. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

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**JUSTICE M.S.RAMACHANDRA RAO**

Date: 06.11.2015

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