

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.26640 OF 2015

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ORDER:

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This Writ Petition is filed apprehending that the respondent is likely to pass an order blacklisting the petitioners in view of the impugned show cause notice, dated 27.07.2015. The said show cause notice is questioned in this Writ Petition.

On 21.08.2015, after hearing learned counsel on either side, I had passed the following order:

“This Writ Petition is filed to forbear the respondent from placing the petitioner Company in blacklist in pursuance of the show cause notice, dated 27.07.2015.

When the matter is taken up for hearing, Sri Aka Venkatramana, learned Standing Counsel has produced a copy of the order, dated 19.08.2015, passed by the respondent placing the petitioner in blacklist. A copy thereof is served on the learned Senior counsel for the petitioner.

In view of the subsequent event, the petitioner will have to necessarily either amend the existing writ petition or file a fresh writ petition as he deems appropriate.

Since the order of blacklisting is likely to affect the petitioner in the works which he intends to compete for in the near future, if the said order is not communicated by the respondent, as on today, to other ports and Ministry of Shipping, the respondent Corporation shall await further orders of this Court. ...”

Since it is stated by the learned Standing Counsel that the respondent has passed an order blacklisting the petitioner on 19.08.2015, which is separately questioned by the petitioner in W.P.No.26927 of 2015, this Writ Petition has become infructuous, on the ground that the issue in both the Writ Petitions is one and the same.

The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V. AFZULPURKAR, J

04.09.2015
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