

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 20829 of 2015 (O&M)

Date of Decision: 29.10.2015

M/s Jain Construction Company

..Petitioner

versus

Municipal Corp. Ggn. and another

..Respondents

**CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.**

Present : Mr. AK Chopra, Sr. Advocate with
Mr. Gursher Singh, Advocate, for the petitioner.
Mr. Deepak Sabharwal, Advocate, for the respondents.

S.J.VAZIFDAR A.C.J. (Oral)

The respondents admit that the show cause notices did not put the petitioners to notice of the proposed black-listing. The petitioner, therefore, obviously did not respond to the proposed black-listing. The impugned orders black-listing the petitioner are, therefore, quashed and set-aside. The respondents, however, shall be at liberty to issue notices and to take any other steps for black-listing the petitioner, if they so desire, in accordance with law.

2. The petitioner has also sought refund of the performance security deposit which has been forfeited. Some of the facts relating to the black-listing may also be relevant to the issue of forfeiture. The issue of forfeiture shall also be decided afresh. The petitioner did not press the relief against the respondents' decision to withdraw the work.

3. The petition is, therefore, disposed of by limiting the reliefs to setting-aside the order of black-listing and the order of forfeiture. These two issues shall be decided afresh.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

29.10.2015

'ravinder'

(TEJINDER SINGH DHINDSA)
JUDGE