

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT CHANDIGARH

CWP No.4701 of 2015 (O&M)

Date of Decision : 28.5.2015

M/s Umang Printers

..Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Sanjay Kaushal, Sr. Advocate with
Mr. Arjun Shukla, Advocate for the petitioner.

Mr. Vinod S.Bhardwaj, Addl.Ag Punjab for respondent No.1.

Mr. Anupam Singla, Advocate for respondents No.2 and 3.

Hemant Gupta, J.(Oral)

Challenge in the present writ petition is to the order dated 4.3.2015 whereby the petitioner was blacklisted for 2 years for defaults in printing the material of the department and also the petitioner was called upon to deposit certain amounts on account of failure to carry publications in terms of contract.

Learned counsel for the petitioner has vehemently argued that order of blacklisting has been passed without giving an opportunity of hearing to the petitioner. Such fact is not controverted by the counsel for the respondents. The order of blacklisting has civil consequences.

The Supreme Court in case *Gorkha Security Services Vs.*

Government (NCT of Delhi) and others (2014)9 SCC 105 held that the

order of blacklisting cannot be passed without giving an opportunity of hearing.

In view thereof, we allow the present writ petition setting aside the order dated 4.3.2015 blacklisting the petitioner for a period of two years. It shall be open to the respondents to issue a show cause notice and to pass an order of blacklisting of the petitioner if warranted in the facts and circumstances of the case, after considering the reply filed by it.

The writ petition stands disposed of accordingly.

(Hemant Gupta)
Judge

(Harinder Singh Sidhu)
Judge

28.5.2015
Meenu