

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.1684 of 2016**

Cyano Pharma Pvt. Ltd., A company Registered and Incorporated under Indian Companies Act, 1956, having registered works office at 115C Industrial estate, polo ground Indore (M.P.), Represented through Manish Agrawal, S/o Jai Prakash Agrawal, Devendra Nagar Sector 2 Raipur (CG)

---- Petitioner**Versus**

1. Chhattisgarh Medical Services Corporation Limited, a state owned corporation having its office at 3rd Floor, Govindsarang Vyavasayik Parisar, Naya Rajendra Nagar, Raipur (CG)
2. Managing Director, Chhattisgarh State Medical Services Corporation Limited, Office at 3rd Floor, Govindsarang Vyavasayik Parisar, Naya Rajendra Nagar, Raipur (CG)
3. State of Chhattisgarh through the Secretary, Health and Family Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur (CG)

---- Respondents

For Petitioner	:	Mr.Kishore Bhaduri, Advocate
For Res.No.1 and 2	:	Mr.C.J.K.Rao, Advocate
For Res.No.3	:	Mr.Y.S.Thakur, Dy.Advocate General

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**Per Deepak Gupta, Chief Justice****25/07/2016**

1. By means of this writ petition, the petitioner has prayed for quashing the order dated 23.6.2016, whereby the Managing Director of the Chhattisgarh Medical Services Corporation Limited has cancelled the earlier order passed by the very said Corporation on 21.6.2016.

2. No reasons have been given in the second order. Admittedly, this order is not only an unreasoned order, but also has been passed without giving any notice to the petitioner.
3. Reply has been received. Reply does not show any notice was given to the petitioner. In the reply, it is stated that the petitioner had not disclosed about pendency of earlier writ petition in which the petitioner has made a representation to respondent No.2. The representation was considered by respondent No.2 who passed the order dated 21.6.2016 and when this fact of filing of writ petition came into knowledge of respondent No.2, then by the impugned order he withdrew the earlier order dated 21.6.2016.
4. This action was highly improper. The rules of natural justice have been violated. Therefore, we quash the order impugned. However, liberty is reserved to the Chhattisgarh Medical Services Corporation Limited to take appropriate steps, if so desired, by giving due notice and reasonable opportunity of hearing to the petitioner.
5. The writ petition is allowed to the extent indicated hereinabove. No order as to costs.

Sd/-

(Deepak Gupta)
Chief Justice

Sd/-

(Sanjay K.Agrawal)
Judge