

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.4634 OF 2015
WITH
CIVIL APPLICATION NO.2795 OF 2015**

Standard Corrosion Controls Pvt. Ltd.	.. Petitioner
V/s.	
Union of India & Ors.	.. Respondents

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Ms.Manjiri S. Parasnis, Advocate for the Petitioner.
Ms. Lopa Munim i/b. M/s.Rajesh Kotharia & Co., Advocate for the Respondents.
Mr. Y. R. Mishra a/w. Mr. D.A. Dube, Mr. Upendra Lokegaonkar, Advocate for Respondent No.1.

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**CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.**

DATED : DECEMBER 19, 2016.

P.C. :

By filing this petition under Article 226 of the Constitution of India, the petitioner is challenging the order dated 13th August, 2014 by which the petitioner has been blacklisted. Since the impugned order of blacklisting was passed without issuance of show-cause notice, this Court by order dated 26th April, 2016 had stayed the impugned order of blacklisting of the petitioner. A liberty was granted to the respondents to give a show-cause notice to the petitioner and to take appropriate

decision in accordance with law on merits after giving opportunity of hearing of the petitioner. Undoubtedly, thereafter in view of the liberty granted by this Court, the show-cause notice has been issued to the petitioner on 17th May, 2016 copy of which has been filed alongwith the reply. In the reply though, the petitioner has expressed that its Director Mr.Bhatu Sukhlal Wagh may not be able to attend the personal hearing at KKNPP Unit-2 but today at the time of hearing the learned counsel appearing for the petitioner states that the Director would appear before the respondents for personal hearing in regard to the show-cause notice which has been issued on the basis of liberty granted by this Court. In view of the aforesaid, in our considered view, petition deserves to be disposed of by quashing the impugned order dated 13th August, 2014 as no show-cause notice was issued before passing the said order. However, needless to say that this Court has not expressed any view about the show-cause notice which has now been issued of which the reply has already been filed by the petitioner. We direct the respondents to consider the reply filed by the petitioner and pass appropriate orders in accordance with law on it after giving opportunity of hearing to the petitioner.

2 With the aforesaid, the petition is disposed of.

3 Civil Application No.2795 of 2015 also stands
disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)