

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4019/2014

(M/S ABHIJEET ANGUL SAMBALPUR TOLL ROAD LIMITED, NAGPUR **VERSUS** NATIONAL HIGHWAYS
 AUTHORITY OF INDIA)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri D.V. Chauhan, counsel for the petitioner.
 Shri A.A. Kathane, counsel for the respondent.

CORAM : SMT.VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATE : MARCH 08, 2016.

By this petition, the petitioner-Company has impugned the order of the respondent-National Highways Authority of India, dated 05.02.2014 debarring the petitioner-Company from participating and bidding for the projects undertaken by the respondent-Authority for a period of two years. According to the petitioner, the action of the respondent-Authority in debarring the petitioner-Company is arbitrary, and unconstitutional.

The learned counsel for the respondent-Authority raises a preliminary objection to the tenability of the writ petition in the Nagpur Bench of the Bombay High Court. It is stated that in identical set of facts, this Court has refused to entertain the writ petition filed by the other company. It is also submitted on behalf of the respondent-Authority that the petitioner-Company is not blacklisted by the respondent-Authority and the petition is misconceived.

We uphold the preliminary objection raised on behalf of the respondent-Authority to the tenability of the writ petition at the Nagpur Bench of the Bombay High Court for the reasons recorded in the order dated 08.03.2016 in Writ Petition No.176 of 2016. Also, in view of the statement made on behalf of the

respondent-Authority, we find that there was no cause for the petitioner-Company to file the writ petition as the petitioner-Company was not blacklisted by the respondent-Authority. In the aforesaid set of facts, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

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