

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5379 OF 2015

Vidisha Electrical Co., Nagpur .vs. State, through its Principal Secretary, Ministry of Tourism,
Mantralaya, Mumbai and Ors.

with

WRIT PETITION NO. 5380 OF 2015

Vidisha Electrical Co., Nagpur .vs. State, through its Principal Secretary, Ministry of Tourism,
Mantralaya, Mumbai and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

**CORAM : B.P.DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.**

DATE : 15.06.2016.

Heard Mr.S.D.Malke, learned Counsel for the petitioner, Mr.Lonare, learned A.G.P. for respondent no.1 and Mr.S.G.Jagtap, learned Counsel for respondent no.2.

Challenge is to punishment of blacklisting imposed upon the petitioners/Contractors by respondent no.2 on 20.8.2015.

After hearing the respective Counsel, we find that blacklisting has been ordered without issuing any show cause notice to the petitioners and without any opportunity. Mr.S.G.Jagtap, learned Counsel for respondent no.2 has attempted to demonstrate that the petitioners, who were working elsewhere, continued to seek extensions for furnishing security deposits and therefore, did not perform the contract and caused loss to the public revenue.

The law on the point is well-settled. Blacklisting

cannot be ordered without giving the petitioners due opportunity. Hence, only on that count, we quash and set aside the communication dt.20.8.2015. Respondent no.2 is at liberty to initiate appropriate action in accordance with law against the petitioners, if it so desires. The Writ Petitions are, thus, partly allowed and disposed of. No costs.

JUDGE

JUDGE