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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1396/2016 & C.M.Nos.6128-6129/2016

MANTEC CONSULTANTS PVT. LTD. Petitioner

Through Mr.Subhash C.Jindal with
Mr.Arindam Mukherjee, Advocates.

versus

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE (I.A. DIVISION) & ANR Respondents

Through Mr.Ravi Prakash, CGSC with
Mr.Sarfaraz Ahmad, Advocate for R-
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CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **02.03.2016**

Present petition has been filed challenging the respondent No.1's order dated 9th February, 2016, whereby the petitioner was debarred from carrying out preparation of any Environment Impact Assessment/Environment Management Plan report and appearing before Expert Appraisal Committee/State Expert Appraisal Committee/ State Coastal Management Authorities across the country for a period of one year on the ground that the report prepared by the petitioner was for clearance of thirteen projects, whereas the terms of reference (TOR) issued to respondent No.1 was only for three projects. The abovementioned act of the petitioner, according to the respondent No.1 led to wastage of considerable time and resources at various levels.

Learned counsel for petitioner states that respondent no.2 invited the tender for appointment of Advisor for preparation of Integrated Environment Impact Assessment Study Report for all future proposals of Kandla Port Trust at Kandla and not only for the three projects for which TOR had been granted to the respondent No.2 by the respondent No.1. He also states that no show cause notice was issued to the petitioner.

A perusal of the file reveals that the petitioner's representations dated 10th February, 2016 and 12th February, 2016 have not been disposed of by the respondent no.1.

This Court is also of the view that since the impugned order has been passed without issuing any show cause notice and without specifying in advance that the petitioner could be debarred, the respondent no.1 is directed to dispose of the aforesaid representations as expeditiously as possible preferably within a period of eight weeks, after giving an opportunity of hearing to the petitioner.

Till then, the impugned order dated 9th February, 2016 shall not be given effect to. And if it has been placed on the website of the respondent no.1, the same shall be removed.

With the aforesaid directions, the present writ petition and the applications are disposed of.

Order *dasti*.

MANMOHAN, J

MARCH 02, 2016
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