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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3895/2016**
M/S SUREY ENTERPRISES & ANR.

..... Petitioners

Through Mr. Sandeep Bajaj, Advocate

versus

SOUTH DELHI MUNICIPAL CORPORATION

..... Respondent

Through Mr. Mini Pushkarna, Standing
Counsel with Ms. Namrata Mukim,
Ms. Anushruti and Ms. Vasndhara,
Advocates

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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26.08.2016

Petitioner is aggrieved by the fact that vide order dated 23.09.2013 the SDMC had blacklisted the petitioner.

Reply has been sought from the petitioner by the competent authority but not being satisfied by the reply and not having been found convincing the petitioner's contract of the parking site (with M/s. Surey Enterprises) was cancelled and he was blacklisted / debarred for further tendering / registration in SDMC with the immediate effect. This order was admittedly passed on 23.09.2013 which is almost three years ago.

Counter affidavit is stated to have been filed by the respondent. It is not on record. The grievance of the petitioner is that even presuming that the order dated 23.09.2013 was passed on merits, he is

challenging it to the extent that he cannot be black listed forever and disqualified of a right to participate in future contracts. He should be considered along with the other eligible persons at the time of future contracts/tenders.

This Court is of the view that this submission of the counsel for the petitioner is well founded. Counsel for the respondent also fairly submits that the matter may be remanded back to the competent authority for deciding the time period (as per the policy of the corporation) for which time period the petitioner will remain debarred.

Petition disposed of. The Competent Authority shall pass a speaking order as to when the petitioner can participate in future contracts/tenders.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

AUGUST 26, 2016

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