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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3063 of 2016**

1. M/s A.B. Consultant L-9, Anupam Nagar, Raipur, District Raipur, (Chhattisgarh)
2. Pramod Pandit, S/o Late Biro Pandit, Aged About 67 Years R/o L D/24, V Ill Phase, Adarsh Nagar, Post & P.S. Sonari, Jamshedpur, District East Singhbhum (Jharkhand)

---- Petitioner**Versus**

1. Union Of India Through: Secretary, Ministry Of Road Transport And Highways, Government Of India, New Delhi
2. Chief Engineer S. R. & T. (Roads), Ministry Of Road Transport And Highways, Government Of India, Indian Academy Of Highway Engineers Campus, A-5, Institutional Area, Sector 62, Noida (Uttar Pradesh)
3. Director General (Road Development) & S.S., Ministry Of Road Transport And Highways, Government Of India, Indian Academy Of Highway Engineers, Campus, A-5, Institutional Area, Sector 62, Noida (Uttar Pradesh)
4. Executive Engineer (NFSG), S.R. & T. (Roads), Ministry Of Road Transport And Highways, Government Of India, Indian Academy Of Highway Engineers Campus, A-5, Institutional Area, Sector 62, Noida (Uttar Pradesh)

---- Respondent

For Petitioners : Shri Adil Minhaj, Advocate.
 For Respondent No. 1 : Shri NK Vyas, ASG.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****23/02/2017**

1. This petition is directed against the order (Annexure-P/1) passed by the

Executive Engineer (NFSG), SR & T (Roads), Ministry of Road Transport and Highways, Govt. of India, suspending the petitioners' empanelment as Architect in the Ministry of Road Transport and Highways, Government of India, for the balance period of their empanelment.

2. Shri Vyas, learned ASG would submit, on instructions, that empanelment was for a period of 3 years from 20.2.2014, therefore, the period of empanelment has expired on 19.2.2017 and the Writ Petition has been rendered infructuous. He would further submit that in the proceeding for fresh empanelment the petitioners may also apply and in such eventuality, their cases shall be considered on its own merits.
3. Shri Adil Minhaj, learned counsel for the petitioners would submit that the impugned order may come in their way for fresh empanelment, as the Department may treat the impugned order against the petitioners as a stigma or blot or their failure to perform properly during the previous empanelment, therefore, the impugned order may be set aside.
4. Shri Vyas would submit that the period of empanelment having expired, the impugned order cannot be set aside, as the petitioners would not get any benefit out of quashment of the impugned order. However, he would submit that in the event fresh consideration is made, the Department/Ministry shall not consider the impugned order as rider for empanelment or adverse to the petitioners' interest.
5. In view of the above submissions, the Writ Petition is disposed of with a direction that in the event fresh consideration is made for empanelment, the petitioners' case shall be considered and the concerned Department shall not take note of the impugned order for the purpose of empanelment.

Sd/-
Judge
 (Prashant Kumar Mishra)