

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN**

Writ Appeal No.1066 of 2018

JUDGMENT: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

We have heard Sri D. Prakash Reddy, learned senior counsel appearing for Sri K. Siddharth Rao, learned counsel for the appellant and Sri P. Bhaskar, learned standing counsel for the respondent-Railway Board.

2. Show cause notice was issued to the appellant herein on a matter relating to de-listing as a Contractor. As of now the issue is whether the learned single Judge is justified in dismissing the writ petition, in which the appellant sought to challenge the refusal for supply of soft copies of the materials, which were relied on to issue the show cause notice. We do not think that such an exercise could be carried on by the appellant through writ jurisdiction. If the show cause notice ultimately concludes in an action detrimental to the interest of the petitioner/appellant, the question whether the absence of materials, which formed the subject matter of the show cause notice and the non service of such materials sought by the appellant is itself an issue to be considered as against the said final decision would be a matter for adjudication. We are inclined to take such an issue in piece meal during the course of such -----.

We may also notice that in this situation, the said proceedings are pending before the Central Bureau of Investigation.

For the aforesaid reasons, we do not think that ends of justice is required to be by the Division Bench through intra court appeal under Letters Patent, when there is no infirmity or illegality in the decision rendered by the learned single Judge of this Court.

The writ appeal is accordingly dismissed.

As a last opportunity, the appellant is given 7 clear days time for furnishing reply to the show cause notice.

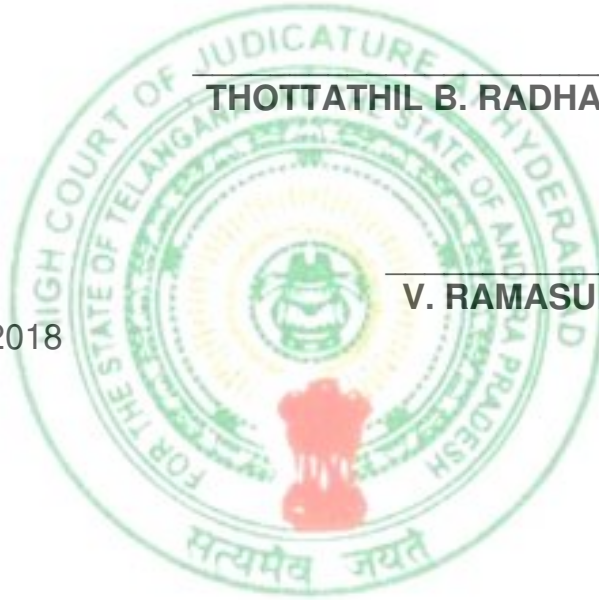
As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

V. RAMASUBRAMANIAN, J

Date: 09-08-2018

Ksn/KTL



**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN**



Writ Petition No.38298 of 2016

*(Order of the Division Bench delivered by
the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

26th July, 2018

Ksn/KTL