

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.32713 of 2018

ORDER:

This writ petition is filed challenging the proceedings dated 07-09-2018, wherein and whereby the contract awarded to the petitioner for transportation of petroleum products was cancelled.

Heard Sri Vedula Venkata Ramana, learned Senior Counsel for the petitioner who submits that show-cause notice for termination of contract was issued on 05-09-2018 and granted seven days time to submit his explanation. Before expiry of the seven days time, the impugned order of termination was issued on 07-09-2018, which is in violation of principles of natural justice. Even on merits, it is not a case for cancellation, since the petitioner has been transporting the petroleum products through trucks since February, 2017 onwards.

On the other hand, learned Standing Counsel for respondents submits that after issuance of show-cause notice, fresh complaint was received from unsuccessful bidder. As such, the impugned order has been passed.

In this case, it is to be seen that having issued show-cause notice granting seven days time and even before filing explanation the impugned order has been passed by the respondents, which is in violation of principles of natural justice. Merely on the ground of violation of principles of natural justice, the impugned order is set aside. It is open for

the respondents to issue fresh show-cause notice, if so they are advised and take action. Till such exercise is done, the respondents are bound to honour the contract between the petitioner and themselves.

With the above direction, the writ petition is allowed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

24-09-2018

Note:

Issue CC in two days.

B/o.

Nvl



