

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No. 29100 of 2017 (O&M)

Date of Decision: 12.11.2018

Krishna Gopal Vashistha

.....Petitioner

versus

Employees State Insurance Corporation Medical College & Hospital,
Faridabad and others

-

.....Respondents

CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
 HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present : Mr. Neeraj Sharma, Advocate, for the petitioner.
 Mr. Anil Shukla, Advocate, for the respondents.

KRISHNA MURARI, C.J.(oral)

Order dated 03.10.2017 cancelling the contract of the petitioner and also black-listing him for indefinite period is under challenge in this petition. The main ground of challenge is that the impugned order cancelling the contract and black-listing has been passed behind his back without any notice or opportunity and thus is in utter violation of the principle of natural justice. It is further contended that the order of black listing is further bad on the ground that it is for an unlimited period and is directly in the teeth of the judgment of the Hon'ble Supreme Court in ***Kulia Industries Ltd. vs. Chief General Manager, Western Telecom Project Bharat Sanchar Nigam Limited and others AIR 2014 SC 9.***

2. Learned counsel appearing for respondent Nos.1 to 3 faced with the aforesaid situation fairly concedes that fresh orders with respect to termination of contract and black listing would be passed after affording notice and opportunity of hearing in the matter.
3. In view of the aforesaid, the impugned order dated 03.10.2017 is set aside. The matter stands remitted back to the Authority to pass orders fresh in respect of the termination of the contract as well as black listing after notice and opportunity of hearing to the petitioner. The entire exercise be carried out by the respondents within three months from today.
4. With the aforesaid observations and directions, the petition stands allowed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

12.11.2018
ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√