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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8253/2018 & CM. No. 31589/2018

ISPA PHARMACEUTICALS (P) LTD.

..... Petitioner

Through: Mr. Abhijit Banerjee and Mr. P.C.
Joshi, Advs.

versus

NEW DELHI MUNICIPAL CORPORATION AND
ANR.

..... Respondents

Through: Mr. Sunder Khatri, Standing Counsel
with Mr. D.S. Mehandru, ASC for
NDMC with Dr. S.K. Arya and Dr.
Sridhar, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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08.08.2018

Present petition has been filed by the petitioner with the following prayers:

“In view of the facts and circumstances and the grounds the Petitioner most humbly prays that this Hon’ble Court may be pleased to:

- a. Issue an appropriate WRIT, quashing the letter dated 28.03.2018 vide reference no. 222/PA/Dir.(MS)CPH/18 with subject: “Blacklisting on account of submission of false / forged documents in E-Tender dated 23.11.2017 for procurement of Ayurvedic Medicine”.*
- b. Pass such other and further orders / directions which ever deem fit and proper under the present facts and circumstances of this case.”*

Learned counsel for the petitioner has relied upon a order passed by the Coordinate Bench of this Court in W.P.(C) 3336/2018, wherein this Court noting the fact that the impugned order has been passed without even issuing show cause notice to the petitioner and also noting the stand of the respondents that impugned order will be withdrawn, had disposed of the writ petition granting liberty to the respondents to take appropriate action against the petitioner by issuing a fresh show cause notice and granting opportunity to the petitioner to submit its explanation.

Mr. D.S. Mehandrau, learned ASC appearing for the respondents states that as per his instructions, respondents shall follow the same course in the case of the petitioner.

Noting the aforesaid submissions, the impugned order dated March 28, 2018 shall be withdrawn by the respondents. The respondents would be at liberty to take appropriate action against the petitioner by issuing fresh show cause notice and granting opportunity to the petitioner to submit its explanation. Respondents would also give an opportunity of personal hearing to the authorized representative of the petitioner and pass a fresh order as deemed fit, on all grounds including the grounds taken in the impugned order.

The petition and the connected application are disposed of.

Needless to state, in case the petitioner is still aggrieved, it would be open to the petitioner to take legal recourse as permissible under law.

Dasti.

V. KAMESWAR RAO, J

AUGUST 08, 2018/jg