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

+ **W.P.(C) 7121/2017 and CM No. 29532/2017**

**THATAGAT EXPORTS PRIVATE LIMITED
& ORS**

..... Petitioner

Through: Ms Udisha Sahay, Ms Ritu Chhabra,
Mr Akhil P. Chhabra and Ms Tulika
Kamra, Advocates.

versus

PEC LIMITED

..... Respondent

Through: Mr Rajesh Kumar Gautam and Mr
Gaurav Kumar Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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30.08.2018

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

“(a) Issue an appropriate Writ, Order or Direction under Article 226 and 227 of the Constitution of India in the nature of Certiorari or any other appropriate Writ, Order or Direction quashing and setting aside the impugned orders dated 18.04.2017 and 14.06.2017 of the Respondent, and further setting aside/quashing any other proceedings or coercive action taken or anticipated to be taken by the Respondent pursuant to/or in furtherance of the said impugned order;

b) Issue such directions and observations as this Hon’ble Court may deem fit and proper in relation to the exercise/abuse of authority by the Respondent;”

2. After some arguments, the learned counsel appearing for the

respondent submits that the respondent shall issue a fresh show cause notice indicating the reasons on the basis of which the respondent seeks to blacklist petitioner no.1. Petitioner no.1 shall also be afforded a full opportunity to be heard and a reasoned order shall be passed by the respondent. He further states that the respondent shall also have due regard of the policy which is currently published on the website in respect of this Act.

3. The learned counsel appearing for the petitioners is also agreeable for the same.

4. In view of the above, the impugned show cause notice dated 18.04.2017 and the blacklisting order dated 14.06.2017 are set aside. The respondent is at liberty to issue a fresh show cause notice as indicated above and pass a reasoned order after giving petitioner no.1 a full opportunity to be heard.

5. The petition and the application are disposed of in the above terms.

6. Order *dasti*.

AUGUST 30, 2018
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VIBHU BAKHRU, J