

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 14002 OF 2018

Neha Security and Labour Contractor
Aurangabad through Proprietor .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Ankush N. Nagargoje, Advocate for the Petitioner.
Mrs. A. V. Gondhalekar, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 22ND FEBRUARY, 2019.

FINAL ORDER :

. The petitioner assails the communication dated 01.12.2018, so also order black listing and disqualifying the petitioner.

2. As far as the minutes of the meeting dated 31.10.2018 are concerned, wherein decision has been taken to black list the petitioner for a period of five years. Same appears to have been passed without adhering to the principles of natural justice. No show cause notice was issued to the petitioner before resorting to the step of black listing the petitioner. Such an order cannot be sustained. The respondents are required to issue show cause notice to the petitioner and after following principles of natural

justice, the decision has to be taken.

3. In view of that, the impugned order dated 31.10.2018 black listing the petitioner is quashed and set aside. The impugned order shall be construed as show cause notice to the petitioner. The petitioner is already served with the same. The petitioner shall reply the said show cause notice within a period of eight (08) days from today. Upon receipt of the notice, the petitioner shall reply the notice afresh. Thereafter, the respondents shall take decision afresh. In view of order black listing the petitioner is set aside, necessary consequences shall follow. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 19