

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.7 OF 2019

Supreme Infrastructure India Ltd. Petitioner.
Versus
Goa State Infrastructure Development
Corpn. Ltd. and others. Respondents.

Mr. Aman Preet Singh Rahi with Mr. Pulkit Bandodkar, Advocate
for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Mr. P. Dangui,
Government Advocate for Respondents No.1 and 2.

Mr. S. D. Padiyar, Advocate for Respondent No.4.

***Coram : M.S. Sonak &
Prithviraj K. Chavan, JJ.***

Date : 21 January 2019.

P.C.:

Heard Mr. Aman Preet Singh Rahi for the Petitioner,
Mr. Dattaprasad Lawande, learned Advocate General for
Respondents No.1 and 2 and Mr. S. D. Padiyar for Respondent
No.4.

2. The challenge in this Petition is mainly to the notice of
termination of the contract dated 21 September 2018, by which
Respondent No.1 has not only terminated the contract awarded to
the Petitioner for construction of bus-stand and mini depot at
Sankhali, Goa, but, further proceeded to blacklist/debar the

Petitioner for a period of 5 years from quoting the bids floated or the works tendered by the Respondent No.1-GSIDC.

3. In so far as the issue of blacklisting is concerned, Mr. Lawande, the learned Advocate General appearing for Respondent No.1 makes a statement that the order dated 21 September 2018, to the extent it relates to the issue of blacklisting/debarment, will be withdrawn, a fresh show cause notice will be issued to the Petitioner and depending upon the response of the Petitioner, a fresh decision, on this issue, will be taken in the matter. According to us, this takes care of the Petitioner's grievance on the issue of blacklisting/debarment is concerned.

4. In so far as other issues relating to termination of the contract, raised in this Petition, the learned Counsel for the Petitioner, on the basis of the instructions from the Petitioner, craves leave to withdraw this Petition, with liberty to raise and agitate these very issues before the appropriate forum including, *inter alia*, by institution of a civil suit.

5. There is no difficulty in accepting the request of the learned Counsel for the Petitioner. Accordingly, leave is granted to withdraw this Petition, with liberty as prayed for.

6. We make it clear that we have not examined the merits of the issues and, therefore, all contentions of all the parties are left open.

7. The Petition is disposed of in the aforesaid terms.

(Prithviraj K. Chavan, J.)

(M.S. Sonak, J.)