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

+ **W.P.(C) 4665/2018**

POONAM GUPTA

..... Petitioner

Through Mr Prag Chawla, Ms Ruchi Kapur,
Mr Saurabh Shokeen, Advocates.

versus

DELHI JAL BOARD

..... Respondent

Through Mr Sumeet Pushkarna, Standing Counsel
with Mr Devanshu, Advocate with Mr K.C. Meena
(SE) with Delhi Jal Board.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.07.2019

1. The petitioner has filed the present petition, *inter alia*, impugning a circular dated 22.08.2016 issued by the respondent blacklisting the petitioner on permanent basis for further participation in any of the tenders to be issued by the Divisions/Officers of Delhi Jal Board, with immediate effect.
2. The petitioner has assailed the impugned order on several grounds including merits. It is well settled principle that a blacklisting order cannot be passed for an indefinite period (see: ***Kulja Industries Ltd. v. Chief General Manager, Western Telecom Project BSNL & Ors.: AIR 2014 SC 9***).
3. Mr Pushkarna, learned counsel appearing for the respondent fairly states that the respondent shall afford the petitioner another opportunity of

hearing and pass a speaking order, uninfluenced by its earlier decision.

4. In view of the above, the impugned circular dated 22.08.2016 is set aside. The respondent is not precluded from issuing a fresh show cause notice and passing a fresh order. It is clarified that this Court has not expressed any opinion, *prima facie* or otherwise, on the merits of the defence raised by the petitioner.

5. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

JULY 16, 2019

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