

21st October, 2020
(S/L No.9)
(SKB)

W.P.A. 8722 of 2020
(Via Video Conference)

VSAIPPL-PE-SI (JV) and others
Versus
The Eastern Coalfield Limited and others

Mr. Mayukh Maitra,
Mr. Anindya Bose

... for the petitioners.

Mr. Shiv Sankar Banerjee

... for the respondents.

The petitioner has challenged an order of the Eastern Coalfield dated 8th October, 2020 by which the petitioners have been disallowed from participating in future tenders of Eastern Coalfield Limited for a period of three years.

Learned Counsel for the petitioners places order passed by a learned Judge of this Court dated 17th June, 2019 in W.P. 9833(W) of 2019 between the same parties by which the learned Judge was pleased to hold that the order of 'black list' of the petitioners was vitiated since no show-cause notice was given to the petitioners and the petitioners were also not given a hearing.

Learned Counsel for the respondents submits that the petitioners were given a show-cause notice in this case and also offers to give a hearing to the petitioner no.1 tomorrow i.e. on 22nd October, 2020 in the office of the respondent no.4 being the General Manager (CMC), ECL, Burdwan.

Having heard Counsel for the parties, this court is of the view that W.P.A. 8722 of 2020 can be disposed of with a direction on the respondent no.4 to give a hearing to the petitioner no.1 or its authorised representative/officer at the office of the General Manager (CMC) which is in Burdwan. It is informed that the petitioners are also based in Burdwan. The petitioners will have the liberty of having a virtual hearing as directed.

The hearing shall be given to the petitioners and/or its officer at the official address of respondent no.4 on 22nd October, 2020 at 2-00 p.m. as suggested by Counsel appearing for the petitioners. The respondent no.4 is directed to pass a reasoned order pursuant to such hearing by 23rd October, 2020 and communicate the same to the petitioners on the same day.

Since no affidavits have been called for, allegations made in the writ petition are not admitted.

W.P.A. 8722 of 2020 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)