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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 13138/2019

SAI GURU MEGA SOLAR PVT. LTD. Petitioner

Through: Mr.Sahil Ralli, Mr.Rachit Batra,
Mr.Abhishek Varma, Advs.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Jasmeet Singh, CGSC with
Mr.Saurabh Tiwari, Ms.Aakansha Kaul, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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14.01.2020

This petition has been filed by the petitioner challenging the Office Memorandum dated 23.07.2019 issued by the respondent no.1 blacklisting the petitioner and its signatories from taking part in any tender or work in any Government Project/Scheme, on the ground that it failed to execute the work relating to the development of Solar Park under the scheme for the Development of Solar Parks and Ultra Mega Solar Power Projects sanctioned by the respondent no.1 vide its letter dated 29.06.2016 and also refusing to return the Central Financial Assistance of Rs.4.10 crores already released by the respondent no.1 in favour of the petitioner.

Admittedly, the petitioner was issued a Show Cause Notice dated 06.06.2019 prior to the passing of the impugned Office Memorandum. The petitioner did not submit any reply to the Show Cause.

The learned counsel for the petitioner submits that the contents of the present petition be considered by the respondent no.1 as a representation against the Office Memorandum.

As the impugned action would have far reaching consequences on the petitioner, the respondent no.1 is directed to consider the contents of the present petition as a representation by the petitioner to the respondent no.1 and grant a post-decisional hearing to the petitioner on the impugned Office Memorandum. The respondent no.1 shall pass an order disposing of such representation within four weeks after granting an opportunity of hearing to the petitioner.

The petition is disposed of with the above direction.

Dasti.

NAVIN CHAWLA, J

JANUARY 14, 2020
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