

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 5065 of 2021**

M/s Chemtech Aqua Treat Private Limited Through Director, Shri Aji Kumar Panicker, Aged About 57 Years, S/o Late K. Gangadhara Panicker, Office Add. LIG 50, Sai Kripa Sector 1, Near Bal Udyan, Shankar Nagar, Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare And Medical Education, Mahanadi Bhavan, Naya Raipur, District Raipur, Chhattisgarh
2. Joint Director Cum Superintendent, Dr. B. R. Ambedkar Memorial Hospital, Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vaibhav P. Shukla, Advocate
For State	:	Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.12.2021**

1. The challenge in the present writ petition is to Annexure P-1 dated 30.11.2021 whereby an explanation has been called from the petitioner as to why the petitioner should not be blacklisted for under performance and dissatisfactory work performed by the petitioner.
2. Today, when the matter is taken up for hearing, learned counsel for the State on instruction submits that subject to the petitioner furnishing detailed explanation supported with all cogent relevant documents in support of their contention, the authorities concerned would be passing a reasoned order without being in any manner

influenced by the contents of Annexure P-1 and Annexure P-1 would be treated only as a show cause notice and not as an order of blacklisting.

3. Given the said statement by the learned counsel for the State, the writ petition at this juncture stands disposed of permitting the petitioner to submit a detailed fresh explanation in addition to any explanation that it had provided in the past. The fresh explanation should be provided by the petitioner supported with all relevant documents and contentions that the petitioner intends to take, including those which have been taken in the present writ petition. The respondent authority i.e. respondent no.2, after consideration of the explanation, shall pass an order in accordance with the rules, guidelines and the circulars governing the field.
4. It is made clear that Annexure P-1 would be treated only as a show cause notice and the authorities would be taking a decision purely on the basis of the explanation provided by the petitioner. Let an appropriate decision be taken at the earliest preferably within a period of 60 days from the date the petitioner submits his fresh explanation.
5. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**