

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 948 OF 2021

SMB Systems Private Limited
having its office at Vishwa Kutir,
Shankar Ghanekar Marg, Dadar,
Mumbai – 400 028,
through its Authorised Person,
Shri.Bhushan Niranjana Deulkar

-- Petitioner

...V E R S U S...

1. State of Maharashtra,
Through Secretary, Department
of Rural Development,
Mantralaya Madam Cama Road, Mumbai – 32
2. Zilla Parishad, Bhandara
Through Chief Executive Officer,
National Highway No.6, Police Campus,
Bhandara, Maharashtra – 441904
3. Collector, Bhandara, Rajnandgaon-Raipur
Highway, MSEB Colony, Bhandara,
Maharashtra 441904

-- Respondents

Mr. A. A. Naik, Advocate for Petitioner.
Mr. N. R. Patil, AGP for Respondents.

**CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.**

DATE : 04th MAY, 2021

ORAL JUDGMENT : (Per : SUNIL B. SHUKRE J.)

Hearing is conducted through Video Conferencing and all the learned Advocates agreed that the audio and visual quality was proper.

2. Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

3. It is an admitted fact that no show-cause notice was issued to the Petitioner, nor any hearing was granted to the Petitioner before the impugned order of blacklisting the Petitioner was passed. Such hearing is necessary, as held by the Hon'ble Supreme Court in the case of **Gorkha Security Services vs. Govt. of NCT of Delhi (2014) 9 SCC 105.**

4. The Petition is therefore, allowed.
5. The impugned order is quashed and set aside.
6. The matter is remanded back to the Respondent for taking fresh decision in accordance with law, within a period of eight weeks from the date of appearance of the Petitioner before the District Selection Committee, Bhandara. The Petitioner shall appear before the said Committee on 17th May, 2021.
7. Rule accordingly. No costs.

[AVINASH G. GHAROTE, J.]

[SUNIL B. SHUKRE J.]