

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13682 of 2022

Akash Kumar Agrawal Petitioner

Mr. P.C. Nayak, Advocate

-versus-

**State of Odisha and Opp. Parties
others**

*Mr. S.N. Das,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
31.05.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner as well as learned Addl. Standing Counsel for the State of Odisha.

This Writ Petition has been filed by the petitioner Akash Kumar Agrawal challenging the order dated 23.03.2022 and its consequential proceeding including the show cause notice dated 12.05.2022 under Annexures-1 and 2 for blacklisting the petitioner.

On perusal of Annexure-13 which is letter dated 08.04.2022 of the Chief Construction Engineer, R.W. Circle, Bolangir, it appears that the reason has been given for initiating the procedure for blacklisting the petitioner.

The notice under Annexure-2 indicates that the petitioner has been asked to file show cause as to why he shall not be blacklisted under Clause-A(f) of Appendix-XXXIV of OPWD Code Volume-II for submission of false/fabricated/forged documents for consideration of a tender for the work under PMGSY Package No.OR-05-420/B-II in the district of Bolangir.

Learned counsel for the petitioner submitted that in pursuance of such letter under Annexure-2, the petitioner has not yet filed any show cause.

Considering the submission made by the learned counsel for the petitioner and without expressing any opinion on the merits of the case, this writ petition is disposed of with an observation that in case the petitioner files the show cause as per Annexure-2 within a period of four weeks from today, the same shall be considered in accordance with law by the Chief Engineer, PMGSY (opposite party no.3) after giving an opportunity of hearing to the petitioner.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Vacation Judge

(Biraja Prasanna Satapathy)
Vacation Judge

I.A. No.7266 of 2022

02. In view of the order passed today in W.P.(C)
No.13682 of 2022, this I.A. is also disposed of.

(S.K. Sahoo)
Vacation Judge

(Biraja Prasanna Satapathy)
Vacation Judge

RKM

