



W.P(MD)No.27573 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27573 of 2022

M/s.Continental Carriers of India,
Plot No.3, Sangam Tower,
2nd Floor, Savita Vihar,
Delhi – 110092,
Through its Authorized Signatory
V.Ravikumar

... Petitioner

Vs

1.The Chairman and Managing Director,
Bharat Heavy Electricals Limited,
Siri Fort,
New Delhi – 110049.

2.The Additional General Manager,
Works Contract Management,
Bharat Heavy Electricals Limited,
Trichy – 620 014.

3.The Senior Deputy General Manager,
Works Contract Management,
Bharat Heavy Electricals Limited,
Trichy – 620 014.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to lift the Ban imposed on the petitioner's company for 3 years from 26.08.2015 to



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25.08.2018 in accordance with the order passed by the third respondent in Ref.No.WCM/15-16/BAN 002 dated 26.08.2015 and based upon the petitioner's representations dated 07.09.2018 and 23.09.2022.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.Raguvaran Gopalan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner had contractual transactions with the Bharat Heavy Electricals Limited (BHEL), Trichy Unit. The petitioner was blacklisted in the year 2015. The order of blacklisting was also upheld in an arbitral award. The petitioner now wants the same to be lifted. Seeking the said relief, this writ petition has been filed.

3. When the matter was taken up for hearing, the learned Standing Counsel appearing for the BHEL submitted that the writ petitioner has to invoke the BHEL guidelines on suspension of business dealings with supplier / contractors. The petitioner is permitted to submit a representation before the second respondent and the second respondent is directed to consider the same and pass order on merits and in accordance with law within a period of four



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weeks thereafter. I make it clear that I have not gone into the merits of the matter. It is open to the second respondent to pass order one way or the other.

This writ petition is disposed of accordingly. There shall be no order as to costs.

22.12.2022

Index : Yes / No
Internet : Yes/ No
MGA

To

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G.R.SWAMINATHAN, J.

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