

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 6622 OF 2023**

|                                        |   |                   |
|----------------------------------------|---|-------------------|
| <b>M/s. Secure I. T. Facility</b>      | } |                   |
| <b>Management Pvt. Ltd.</b>            | } | <b>Petitioner</b> |
| <b>Versus</b>                          |   |                   |
| <b>State of Maharashtra &amp; Anr.</b> | } | <b>Respondent</b> |

Mr. Atul Damle, Senior Advocate with  
Ms. Payal Vardhan i/b. Mr. Vaibhav  
Vasantryao Ugle and Mr. Vikas  
Somawanshi for the petitioner.

Ms. R. A. Salunkhe, AGP for State.

Mr. Rohit Sakhadeo for respondent no. 2.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ.  
& ARIF S. DOCTOR, J.**

**DATE: 31<sup>th</sup> AUGUST 2023**

**P.C.:**

**1.** Heard Mr. Damle, learned senior counsel for the petitioner and Mr. Sakhadeo, learned counsel representing respondent no. 2-Pimpri Chinchwad Municipal Corporation (hereinafter referred as "the Municipal Corporation").

**2.** By instituting these proceedings under Article 226 of the Constitution of India, the petitioner-company challenges an order dated 20<sup>th</sup> May 2022 passed by the competent authority of the Municipal Corporation, whereby the petitioner has been blacklisted and debarred from participation in any tender for a period of 3 (three) years.

**3.** After arguing at some length, learned senior counsel for the petitioner states that he has instructions to withdraw the writ petition, however, an observation may be made that the impugned order dated 20<sup>th</sup> May 2022 that blacklists the petitioner and debars it from participation in the tender process for a period of three years will mean that after expiry of the period of three years, the petitioner-company will be entitled to participate in the tenders, provided it fulfills other requirements.

**4.** Any order of blacklisting cannot be for an indefinite period. The order dated 20<sup>th</sup> May 2022, in our opinion, is self-speaking and does not require any clarification from the Court. The period of blacklisting is in fact co-terminus with the period of debarment for a period of three years as reflected from the order dated 20<sup>th</sup> May 2022.

**5.** The writ petition is, thus, dismissed as withdrawn.

**(ARIF S. DOCTOR, J.)**

**(CHIEF JUSTICE)**

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signed by  
JAYANT  
VISHWANATH  
SALUNKE  
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