



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 WRIT PETITION NO. 1223 OF 2024

VINAYAK MAJOOR SAKHARI SANSTHA LTD HALAM
THROUGH ITS CHAIRMAN AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Jadhavar Shivprasad G.
AGP for Respondents 1 to 3/State : Mr. P.K. Lakhotiya
...

CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.

DATE :- 31st January, 2024

Per Court :-

1. The only issue raised in this Writ Petition is that the Petitioners/contractors have been blacklisted without issuance of notice, much less an opportunity of hearing. A Coordinate Bench of this Court (Coram: Nitin W. Sambre & S.G. Chapalgaonkar, JJ.) passed an order dated 29th March, 2023 in Writ Petition No.2901/2023, *Sanjay Narayanrao Tandale & others Vs. The State of Maharashtra and others*, by placing reliance upon the judgment of the Hon'ble Supreme Court in *M/s Erusian Equipment and Chemicals Ltd. Vs. State of Maharashtra*

and another, AIR 1975 SC 266. Subsequently, various Benches of this Court have passed orders, copies of which are annexed to the petition.

2. The learned AGP, on the basis of the record, is unable to point out that show cause notices were issued to the Petitioners. The impugned order indicates that 129 Contractors have been blacklisted by a common order dated 10.03.2021 passed by the District Collector, Beed. Names of the respective Petitioners/ contractors, who have been blacklisted, with their Serial Nos. in the impugned order dated 10.03.2021, are as under:-

Petitioner No.	Name of Petitioner	Sr. No. in impugned order dated 10.03.2021
1.	Vinayak Majoor Sakhari Sanstha Ltd, Halam.	51
2.	Sant Savta Mali Majoor Sakhari Sanstha Dharur	24
3.	Datt Majoor Sakhari Sanstha, Ltd, Hingni.	108
4.	Dnyaneshwer Majoor Sakhar Sanstha Ltd. Halam	90
5.	Bhatumba Majoor Sakhari Sanstha Ltd, Bhatumba	111
6.	Jijamata Majoor Sakhari Sanstha Ltd, Dharur	107

7.	Tuljabhawani Majoor Sakhari Sanstha Ltd, Dharur	67
8.	Rushikesh Majoor Sakhari, Sanstha, Sawleshwer	internal Page No.2 of impugned order dated, 10-03-2021
9.	Shrinath Majoor Sakhari Sanstha Sonhivra, Ltd. Ambajogai	27
10.	Shramjivi Majoor Sakhari Sanstha, Bhogalwadi.	21

3. In view of the above, **this Writ Petition is allowed.**

4. Akin to the reliefs granted to similarly situated Petitioners, the impugned order 10.03.2021 is quashed and set aside to the extent of the Petitioners. Needless to state, that the concerned Authorities are at liberty to proceed against these Petitioners by following the due procedure laid down in law. All contentions are kept open.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)