



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

12 WRIT PETITION NO. 4829 OF 2023

VALJAINATH JANARDHAN GITTE

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

.....Respondents

AND

19 WRIT PETITION NO. 7678 OF 2023

ANIKET MAJOOR SAKHARI SANSTHA THROUGH ITS CHAIRMAN
KESHAV IRAPPA MALE AND OTHERS

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

.....Respondents

AND

23 WRIT PETITION NO. 14276 OF 2023

JYOTILING CONSTRUCTION SHIVAJI BANSIDHAR SIRSAT AND
ANOTHER

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS

.....Respondents

.....
Mr. D. S. Bagul h/for Mr. S. G. Jadhavar, Advocate for the Petitioners
Mr. S. K. Tambe, Mr. P. K. Lakhotiya, AGP for the Respondents-State

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

DATE : 15th January, 2024

ORDER:

1. The only issue raised in these three petitions 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**, reported in **AIR 1975 SC 266**. Subsequently, various Benches of this Court have passed orders, compilation of which (8 pages) is placed on record by the learned Advocate for the Petitioners, which are collectively marked as 'X-1' for identification.

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 passed by the District Collector, Beed, dated 10.03.2021. Names of the respective Petitioners/ contractors who have been blacklisted, with Serial Nos. in the impugned order dated 10.03.2021, are as under:

Petitioner No. in WP	Name of the Petitioners	Sr. Nos. in impugned order
WRIT PETITION NO. 4829 OF 2023		
1	Vaijainath Janardhan Gitte	117
WRIT PETITION NO. 7678 OF 2023		
1	Aniket Majoor Sahakari Sanstha	3
2	Annabhau Sathe Majoor Sahakari Sanstha	4

3	Padmawati Devi Magasvargiya Majoor Sahakari Sanstha	7
4	Bhagwan Majoor Sahakari Sanstha	11
5	Jai Mahesh Majoor Sahakari Sanstha	83
6	Ashok Majoor Sahakari Sanstha	35
7	Lonardevi Mahila Majoor Sahakari Sanstha	37
8	Ramrao Majoor Sahakari Sanstha	39
9	Ajinkya Youdha Majoor Sahakari Sanstha	93
10	Hanuman Majoor Sahakari Sanstha	129
11	Dr. Babasaheb Ambedkar Majoor Sahakari Sanstha	45
12	Vithoba Rukumai Majoor Sahakari Sanstha	48
13	Vikas Majoor Sahakari Sanstha	50
14	Geeta Majoor Sahakari Sanstha	57
15	Tapeshwar Majoor Sahakari Sanstha	65
16	Ganjraj Majoor Sahakari Sanstha	70
17	Antyoday Majoor Sahakari Sanstha	91
18	Uddhavrao Patil Majoor Sahakari Sanstha	95
19	Tuljabhawani Majoor Sahakari Sanstha	66
20	Balaji Majoor Sahakari Sanstha, Akole Tq. Ambajogai	109
21	Balaji Majoor Sahakari Sanstha, Sadula, Tq. Kaij	110
22	Yogeshwari Majoor Sahakari Sanstha	113
23	Vitthal Majoor Sahakari Sanstha	47
24	Shankar Majoor Sahakari Sanstha	41
25	Shivba Majoor Sahakari Sanstha	119
26	Shriram Majoor Sahakari Sanstha	122
27	Siddharth Majoor Sahakari Sanstha	125
28	Suhas Majoor Sahakari Sanstha	126
29	Mandakini Majoor Sahakari Sanstha	14
30	Renuka Majoor Sahakari Sanstha	114
31	Nagsen Majoor Sahakari Sanstha	89

32	Jagmitra Naga Majoor Sahakari Sanstha (As mentioned at internal Page no.2 of impugned rder (Page No.52 , 1st para, Line 9 of the Writ Petition)	
WRIT PETITION NO. 14276 OF 2023		
1	Jyotiling Construction	82
2	Raghuttam Majoor Sahakari Sanstha Maryadit, Telanghana,	40

3. In view of the above, **all these Petitions are allowed.**

4. 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.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan