

DARSHAN
PRAKASH
PATIL

Darshan Patil

Digitally signed
by DARSHAN
PRAKASH PATIL
Date: 2024.08.19
10:24:51 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11520 OF 2024

Balaji Engineers

...Petitioner

Versus

State of Maharashtra and Ors.

...Respondents

Ms Minal Chandnani, for the Petitioner.

Mr A A Alaspurkar, AGP, for the Respondent-State.

CORAM

M.S. Sonak &

Kamal Khata, JJ.

DATED:

16th August 2024

PC:-

1. Not on board. Upon mentioning taken on board.
2. Heard learned counsel for the petitioner and learned AGP for the State.
3. Learned counsel for the petitioner states that respondents 2, 3 and 4, who have issued the impugned blacklisting order dated 02 August 2024 which was served on the petitioner on 06 August 2024, have been duly served. Learned counsel for the petitioner states that no show-cause notice was issued to the petitioner before the petitioner was blacklisted. She submits that this is nothing but a breach of settled law and several decisions of the Hon'ble Supreme Court in this regard.

4. Accordingly, issue fresh notices, indicating that this petition will be finally disposed of at the admission stage to respondents 2, 3 and 4. The notices are made returnable on 13 September 2024. Petitioner to take immediate steps to once again serve respondents 2, 3 and 4 and file affidavit of service. If respondents 2, 3 and 4 wish to file their replies, they should file and serve such replies by 02 September 2024. We allow the remaining respondents to file and serve their affidavits by 09 September 2024.

5. Untill the next date, the Corporation, based upon the impugned blacklisting order should not write to the banks and recover the earnest money deposits or try to forfeit the earnest money deposits furnished by the petitioner at the time of submitting tenders for the work.

(Kamal Khata, J)

(M.S. Sonak, J)