



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 17401 of 2023

Date of decision: 25.07.2024

M/s Khan Electricals

.... Petitioner

Vs.

Punjab Stated Power Corporation Ltd. and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Mohd. Yousaf, Advocate
for the petitioner.
Mr. Manu Loona, Advocate
for the respondent-PSPCL.
Mr. Jastej Singh, DAG, Punjab.

ARUN PALLI, J (Oral)

On February 06, 2024, this Court had passed the following order:

“Learned counsel for the petitioner contends, inter alia, that an amount of Rs.89,915/- was deducted from the security amount of Rs.97,516/-, the petitioner-firm had deposited, owing to submission of alleged bogus bills on 03.03.2021. And on the same ground, after around 2½ years, vide order dated 03.07.2023, it has been blacklisted for a period of three years. He asserts that, ex facie, the impugned orders, dated 03.07.2023 (P-13) and 02.08.2023 (P-14), are palpably erroneous. For the petitioner, before it was blacklisted, was neither served with any notice, nor afforded a hearing.

Notice of motion.

Notice re: stay, as well.

Served with the advance copy of the petition, Mr. Manu Loona, Advocate, for the respondents, is present in Court and accepts notice. He prays for a short accommodation to seek instructions and/or submit response.

Adjourned to 14.02.2024.”



In response, learned counsel for the respondent-PSPCL fairly concedes that since the petitioner was blacklisted vide impugned order dated July 03, 2023 (P-13), without issuance of any show cause notice or affording any hearing, the same is indefensible. Therefore, he, on instructions, submits that the same be deemed to have been re-called/withdrawn. For the competent authority shall now follow the due procedure, and after affording an opportunity to the petitioner, would pass fresh orders, in accordance with law. As regards grievances of the petitioner in relation to forfeiture of the EMD/secuirty deposits, he submits that the petitioner shall be at liberty to avail such other remedy as shall be admissible in law.

That being so, learned counsel for the petitioner submits that let the petition be disposed of in terms of the statement made by learned counsel for the respondent-PSPCL. And as indicated above, qua any other concerns/grievances, the petitioner, if so advised, shall avail such other remedy as shall be admissible in law.

In the wake of the position sketched out above, and in terms of the statement made by learned counsel for the parties, this petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

25.07.2024
deepak

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No