



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24244 of 2023 (O&M)
Date of Decision :22.10.2024

M/s Jai Maa Enterprises

.....Petitioner

Versus

Panjab University Chandigarh and others

..... Respondents

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

Present : Mr. H.S.Oberoi, Advocate for the petitioner.

Mr. Akshay Kumar Goel, Advocate for the respondents.

ARUN PALLI, J. (Oral):

On 20.10.2023, this Court had passed the following order:-

“Learned counsel for the petitioner refers to the complaint dated 30.08.2022 (Annexure P-4), which has been given by one Roshan Lal, who is an employee of the respondent University, against Shri Lovish, J.E., alleging that he had taken some money for getting him permanent job in Panjab University. In this complaint, no allegation has been made against the petitioner proprietorship firm, who is carrying out contracts in Panjab University for the last three years. Vide impugned Minutes of Meeting dated 23.09.2023 (Annexure P-3) and the order dated 12.10.2023 (Annexure P-3A), the petitioner firm along with its sister concerns has been black listed without any evidence to link the petitioner firm with the complaint dated 30.08.2022 (Annexure P-4). Learned counsel contends that before black listing the petitioner firm, no show cause notice was issued to it and as per the judgments of the Supreme Court rendered in UMC Technologies Private Limited Vs. Food Corporation of India and another, 2021 (2) SCC 551 and M/s Chauhan Builders Raibareli Vs. The State of Uttar Pradesh & Others, Civil Appeal No. 5298 of 2002 @ Petition for Special



Leave to Appeal © No. 32840 of 2018, decided on 16.08.2022, the petitioner firm could not be black listed.

Notice of motion for 06.02.2024.

In the meanwhile, operation of the impugned Minutes of Meeting dated 23.09.2023 (Annexure P-3) and the order dated 12.10.2023 (Annexure P-3A) shall remain stayed.”

Although more than a year has gone by but no written statement has been submitted on behalf of the respondents-University. Rather, learned counsel for the respondents-University, on instructions, fairly submits that as the petitioner (M/s Jai Maa Enterprises) was blacklisted without issuance of any show cause notice and for an indefinite period the order of blacklisting is indefensible. Accordingly, he submits that the impugned order be deemed to have been withdrawn/recalled as the competent authority shall now pass a fresh order, if so advised, after affording due notice and opportunity of hearing to the petitioner.

That being so, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of in terms of the statement made by learned counsel for the respondents-University.

Accordingly, the petition is disposed of in terms of the statements made by learned counsel for the parties.

**(ARUN PALLI)
JUDGE**

**(VIKRAM AGGARWAL)
JUDGE**

22.10.2024
Manoj Bhutani

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