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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5932/2020 & CM APPL. 21442/2020

M/S VAX CONSULTANTS PVT. LTD. & ANR. Petitioners

Through: Mr. Rupesh Gupta and Ms. Kritika,
Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent

Through: Mr. Gopal Singh, Advocate along
with Mr. K. R. Anand, Advocate.

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

04.04.2024

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1. The present petition is filed under Articles 226 and 227 of the Constitution for issuance of directions to the respondent for quashing the notice of debarment dated 01.09.2020 issued by the respondent.
2. It is stated that vide notice dated 01.09.2020, the petitioner was debarred from participating in future projects of the respondents jointly as well as severally for a period of 03 years apart from levying the penalty and damages under the clauses of Contract Agreement owing to the wholly misconceived allegations of omissions and/or commissions on the part of the Notices i.e. on the part of the petitioner which resulted into the sudden collapse of Girder under construction Farakka Bridge.
3. The counsel for the petitioner stated that the respondent vide letter dated 12.04.2022 has reduced the period of debarment from three years to two years. The relevant para no. 5 of the letter is reproduced as under:-



The Competent Authority of NHAI, after giving due consideration to your submissions, has decided to reduce the debarment period from 3 years to 2 years jointly as well as severally as per the extant policy guidelines of NHAI. This debarment will automatically cease to exist after completion of 2 years from the date of issue of the debarment notice dated 01.09.2020.

4. The counsel for the petitioner further stated that as the period of debarment is already over and as such he be allowed on instructions to withdraw the present petition. The counsel for the petitioner also stated that as per his knowledge and instructions, apart from the debarment period of 03 years, no other penalty was imposed by the respondent.

5. In view of the above submissions made by the counsel for the petitioner, the present petition is dismissed as withdrawn, along with pending application.

DR. SUDHIR KUMAR JAIN, J

APRIL 4, 2024

Sk/ak