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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8897/2023 & CM APPLs. 33623/2023, 53563/2023**

DILIP KUMAR SINGH

..... Petitioner

Through: Mr. Surya Prakash, Mr. Rohit Job
Zachariah and Ms. Kawalpreet Kaur,
Advocates.

versus

**NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD. AND ORS.**

..... Respondents

Through: Mr. Sangram Patnaik, Mr. Soheli
Rishabh and Ms. Swayam Sidha
Patnaik, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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14.05.2024

1. The Petitioner has approached this Court challenging the Order dated 16.11.2022 passed by the Respondents debaring the Petitioner from participating in any tender issued by the Respondents for a period of two years.
2. Undisputedly, the Impugned Order of Debarment has been passed without giving a show cause notice to the Petitioner informing the Petitioner of the possibility that the Petitioner would be debarred. The action of the Respondents is, therefore, completely contrary to the law laid down by the Apex Court in Gorkha Security Services v. Government (NCT of Delhi) and Ors., (2014) 9 SCC 105.
3. In view of the above, the Impugned Debarment Order dated



16.11.2022 is set aside. It is always open for the Respondents to take appropriate steps in accordance with law.

4. As far as the challenge to the termination letter dated 09.08.2021 is concerned, liberty is granted to the Petitioner take appropriate steps in accordance with law.

5. With these observations, the writ petition is disposed of, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MAY 14, 2024

S. Zakir