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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 14384 OF 2024
AND
WRIT PETITION NO. 13413 OF 2024
WITH
INTERIM APPLICATION NO. 9210 OF 2025
IN
WRIT PETITION NO. 14384 OF 2024
AND
INTERIM APPLICATION NO. 9213 OF 2025
IN
WRIT PETITION NO. 13413 OF 2024**

Nandkumar Infrastructure LLP through
POA B.G. Chhabada

... Petitioner/Applicant

V/s.

Satara Municipal Council, Satara and Ors.

... Respondents

Mr. Surel S. Shah. Senior Advocate with Mr. Suryajeet P. Chavan for the
Petitioner in both Petitions

Mr. Sarang S. Aradhya with Ms. Gauri Velankar and Shantanu Gurav for
Respondent Nos. 1 and 2 in both Petitions

Mr. Vedant Bende i/b. Mr. Mandar Limaye for Respondent Nos. 5 and 6 in
WP 13413/2024

Ms. Neha S. Bhide, G.P. with Mr. O.A. Chandurkar, Addl.G.P. with Ms. G.R.
Raghuwanshi, AGP for Respondent No.3 in both Petitions

Mr. Tushar N. Sonawane for Respondent No.4 in both Petitions.

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 15 JULY 2025

P.C. :

1. Heard on Interim Application Nos. 9210 of 2025 and Interim
Application No. 9213 of 2025.

2. Taking into account the nature of proposed amendment and for the reasons stated therein, same is allowed. Let amendment be incorporated during the course of the day.
3. Leave is granted to add a document.
4. The Interim Applications are allowed.
5. Heard learned Counsel for the parties. With consent of the learned Counsel for the parties, the Writ Petitions are heard finally.
6. In these Writ Petitions, the Petitioners have assailed the validity of the order dated 1 August 2024 and 13 September 2024, by which the Petitioners have been barred from participating in the process of tender on the ground that the work allotted to the Petitioners in earlier tender was not completed and the Petitioners demanded the additional amount. The main ground of challenge to the impugned orders is that the impugned orders amount to black-listing the Petitioners and has been passed for an indefinite period which is impermissible in law. The learned Counsel for the Respondents did not dispute the legal proposition that an order of black-listing cannot be passed for an indefinite period.
7. We have considered the rival submissions made on both sides.

8. It is a well settled legal proposition that an order of black-listing cannot be passed for an indefinite period. (See **M/s. Kulja Industries Ltd. v/s. Chief General Manager, W.T. Proj. BSNL**¹)

9. In view of aforesaid enunciation of law, the impugned orders dated 1 August 2024 and 13 September 2024 cannot be sustained in the eye of law. They are accordingly quashed and set aside.

10. Needless to state that the Satara Municipal Council shall be at liberty to take a fresh decision in accordance with law after affording an opportunity of hearing to the Petitioners.

11. Accordingly, the Writ Petitions and Interim Applications are disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)

1 AIR 2014 SC 9