



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO.5748 OF 2024

M/s Aditya Construction Company, Nagpur
vs.

State of Maharashtra, Thr. Additional Secretary, PWD, Mantralaya, Mumbai and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Kapil Hirani, Advocate for petitioner.
Shri D. V. Chouhan, Senior Advocate and Government Pleader with Shri A. B. Badar, Assistant Government Pleader for respondents/State.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.

DATED : 23rd December, 2025

Petitioner is a construction company. It has challenged the decision dated 19/09/2024 taken by respondents thereby blacklisting it for a period of two years.

2. One of the grounds on which exception to decision is taken is that the petitioner was not given opportunity of hearing.

3. As such, the learned Government Pleader/Senior Counsel submits that considering peculiar facts and circumstances of the case and in absence of the plea of prejudice, the opportunity as claimed by the petitioner need not be given. Nonetheless, on instructions, he submitted that respondent No.2-Chief Engineer, Public Works Department, Nagpur will give opportunity of hearing to the petitioner. The correspondence made by respondent No.2 with learned Government Pleader to that effect is tendered across the bar. Same is taken on record and marked 'X' for identification.

4. The statement is accepted. The decision dated 19/09/2024 is accordingly quashed and set aside.

5. The proceedings are remanded to respondent No.2 for consideration afresh from the stage of giving opportunity of hearing to the petitioner.

6. The petitioner shall appear before respondent No.2-Chief Engineer, PWD, Nagpur on 05/01/2026. The petitioner is at liberty to file additional documents.

7. Writ petition is disposed of in above terms.

(Raj D. Wakode, J.)

(Anil L. Pansare, J.)