



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

WRIT PETITION NO. 6826 OF 2024

Harshal Gramin Vikas Bahu-Sanstha, Chandrapur

-Vs.-

The State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. N.R.Saboo, Adv. for the petitioner.
Mr. Alap Palshikar, AGP for the respondents-State.
Mr. P.K.Raulkar, Adv.for the respondent No.2.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 3RD APRIL, 2025

Heard Mr.Saboo, learned counsel for the petitioner,
Mr.Palshikar, learned AGP for the respondents-State and
Mr.Raulkar, learned counsel for the respondent No.2.

2. The petition questions the order dated 11/10/2021 (Pg.30), by which the agreement dated 22/07/2021, by which the services of the petitioner for preparing the Detailed Project Report (DPR) for 15 villages under the Liquid, Solid, Waste and Sewage Disposal Project were engaged, has been cancelled and the petitioner blacklisted. In terms of the order dated 22/07/2021 (Pg.21), the petitioner along with eight other societies, whose services were also engaged, was to submit the DPR by 17/08/2021. By an order dated 27/08/2021 (Pg.28), the period for submitting the DPR was extended till 31/08/2021, failing which, it was indicated, that fine would be imposed. The

period was further extended by the communication dated 16/09/2021 upto 20/09/2021, failing which, it was indicated, that the agreement would stand cancelled (Pg.29). Though the petitioner, is admitted to have submitted the DPR on 08/10/2021, which position is admitted in the communication dated 10/01/2022 (Pg.35), the agreement of the petitioner as indicated above, came to be cancelled by the communication dated 11/10/2021 (Pg.30) and the petitioner was blacklisted. By the order dated 10/01/2022, surprisingly, the respondent No.2 extended the time as contained in the agreement dated 22/07/2021, till 18/01/2022, however, at the fine of Rs.9,610.00, the order of blacklisting was maintained. Thereafter, by the communication dated 12/01/2022 (Pg.37) the period of blacklisting was restricted to two years, as the earlier order, did not indicate any period at all.

3. Though Mr.Raulkar, learned counsel for the respondent No.2, tries to support the blacklisting of the petitioner, we are aghast by the conduct of the respondent No.2, inasmuch as once the respondent No.2 extends the period for completion of the work and imposes fine, the action of blacklisting would not survive at all. It has also come on record, as is indicated from the representation dated 26/07/2024 addressed by the petitioner to the respondent No.1, that the other eight societies, were granted multiple extensions, in some cases till 22/02/2022 and still it is an admitted position, that they have not been blacklisted. The very act of singling the petitioner for being blacklisted in itself speaks volumes regarding the conduct of

the respondent No.2, which needs to be deprecated, which we so do. By any stretch of imagination, since the petitioner has already submitted the DPR to the respondents on 08/10/2021, which was a mere delay of 18 days, the conduct of the respondent No.2, in blacklisting the petitioner and continuing with the same, and on the other hand, granting extensions to the other eight societies by continuing to grant extensions without blacklisting them, cannot be countenanced. We, therefore, do hereby quash and set aside the communications dated 11/10/2021 (Pg.30), 10/02/2022 (Pg.35) and 12/01/2022 (Pg.37), as they are clearly not sustainable in law with a costs of Rs.50,000/- to be deposited by the respondent No.2 in this Court within a period of one week from today. The petition is allowed in the above terms.

(ABHAY J. MANTRI,J) (AVINASH G. GHAROTE, J)