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

+ W.P.(C) 8779/2025 and CM APPL.37488/2025 (Stay)

INDRAPRASTHA SERVICES

.....Petitioner

Through: Mr. Rajiv Shukla, Ms. Shivani Kapur
and Mr. Souhandya Biswas, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Rajesh Gogna, CGSC, Ms. Priya
Singh and Ms. Rebina Rai, Advs.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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02.07.2025

1. The present petition assails an order dated 10.06.2025, passed by respondent no. 2 whereby the petitioner has been sought to be retrospectively debarred for a period of two years from 01.01.2025 to 31.12.2026.

2. Learned counsel for the petitioner assails the impugned blacklisting order on the following grounds:

(i) The same has been passed without affording an opportunity of hearing to the petitioner.

(ii) The same has been unreasonably made retrospective.

(iii) The allegations against the petitioner only pertain to breach of contract and are not so egregious so as to warrant the extreme measure of blacklisting / debarring the petitioner. It is submitted that the blacklisting action is contrary to the recent judgment of Supreme Court in *Techno Prints vs. Chhattisgarh Textbook Corporation and*



Anr. 2025 SCC OnLine SC 343.

(iii) Lastly, it is submitted that the debarring order is completely unreasoned and cryptic in nature.

3. Issue notice.

4. Learned counsel, as aforesaid, accepts notice on behalf of the respondents. He strenuously opposes the contentions raised on behalf of the petitioner. He submits that the egregious conduct of the petitioner is apparent from the correspondence leading up to the termination of the contract between the parties.

5. After some hearing, it transpires that no opportunity of hearing was given to the petitioner before passing of the impugned blacklisting order.

6. In the circumstances, the same is *ex-facie* in violation of the judgment of Supreme Court in **Gorkha Security Services v. Government (NCT of Delhi)**, (2014) 9 SCC 105, **Blue Dreamz Advertising Pvt. Ltd. and Anr. v. Kolkata Municipal Corporation and Ors.** 2024 SCC OnLine Sc 1896 and **Techno Prints v. Chhattisgarh Textbook Corporation and Anr.** (supra).

7. In the circumstances, the impugned order is set aside.

8. Further, with the consent of respective counsel, the matter is remanded back to the concerned authority to re-consider the matter and afford an opportunity of hearing to the petitioner. It is agreed that after affording an opportunity of hearing to the petitioner, it shall be for the authority to consider whether the blacklisting action is warranted. The authority shall be at liberty to pass a reasoned order in this regard.

9. It is agreed that a hearing would be afforded to the petitioner within fifteen days. A reasoned order sheet be issued thereafter, under intimation to the petitioner. Needless to say, the same shall be subject to all legal rights



and remedies of the petitioner.

10. The petitioner shall also be at liberty to submit a written response/
filed written submissions before the concerned authority.

11. The petition is disposed of in the above terms.

SACHIN DATTA, J

JULY 2, 2025/cl