

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 1160 of 2022

M/s R.K. Agency **Versus** State Of Chhattisgarh & others

04/03/2022	Mr. Ratnesh Kumar Agrawal, Advocate for the petitioner. Mr. Aditya Bhardwaj, Panel Lawyer for the State/respondent No.1. Mr. Rajat Agrawal, Advocate on behalf of Mr. Harshwardhan Parganiha, Advocate for the respondents No. 2 to 5. Let reply be filed within a period of 2 weeks from today. Also heard on I.A. No.1, which is an application for grant of interim relief. The primary challenge to the impugned order Annexure P/1 dated 18.06.2020 is that the said order has been passed without issuing any show cause notice whatsoever, so far as the banning of the petitioner from partaking in any of the contract and work order to be issued by the respondents. The contention of the petitioner is that the impugned order is totally in violation of the principles of natural justice. Counsel for the respondents No.2 to 5 referred to Annexure P/5 to be treated as a show cause notice, however the plain reading of the contents of the said notice does not reflect any reference of the show cause notice being against the action of banning of the petitioner in undertaking any contracts and tenders of the respondents No. 2 to 5 is concerned.

Thus, prima facie this Court is of the opinion that a strong case for grant of interim relief has been made out. Accordingly, there shall be a stay of the effect and operation of the order dated 18.06.2020, passed by the respondents No. 2 to 4 so far as the petitioner is concerned, till the next date of hearing.

Let the matter be listed for hearing on the 13th of April, 2022.

Sd/-
(P. Sam Koshy)
Judge