

GAHC040009262023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/323/2023

M/s KAHO and 2 Ors.

Registered Office at B 69, sector 57, Noida, Gautam Budh Nagar, UP 201301,
represented by its Partner Shri Subhag Jain, S/o Shri Sanjay K Jain, residence of B-
18C, Siddhartha Extension, Delhi 110014

2: Subhag Jain

Age:

Occupation :

S/o Sanjay K Jain

Residence of B-18C. Siddhartha Extension
Delhi 110014

3: Sanjay Jain

Age:

Occupation :

S/o Lala Ilam Chand Jain

Residence of 18/C Pocket B
Siddhartha Extension
Delhi 11001

VERSUS

THE STATE OF AP and 4 Ors

Represented by the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar 791111

2:Arunachal Pradesh Energy Development Agency (APEDA)

Age: 0

Occupation :

Represented by its Director (APEDA)

Urja Bhawan

Post Box 124

Tadar Tang Marg
VIP Road
Niti Vihar
Itanagar
Arunachal Pradesh 791111

3:the Director (APEDA)
Age: 0
Occupation :
Urja Bhawan
Post Box 124
Tadar Tang Marg
VIP Road
Niti Vihar
Itanagar
Arunachal Pradesh 791111

4:the Deputy Director (APEDA)
Age: 0
Occupation :
Aalo Division
Siyom Colony
Aalo
West Siang District
Arunachal Pradesh
PIN 792001

5:the Deputy Director (APEDA)
Age: 0
Occupation :
Office at Tezu Division
Near Zonal General Hospital
Tezu
District Lohit
Arunachal Pradesh. PIN 79200

Advocate for the Petitioner : Duyu Laji

Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE NANI TAGIA**

ORDER

Date : 30.08.2023

Heard Mr. D. Laji, learned counsel for the petitioners. Also heard Mr. N. Ratan, learned Additional Advocate General for the State, representing all the respondents.

By order of this Court, dated 14.07.2023, while issuing notice to the respondents, notice on the interim prayer for staying the order dated 30.01.2023, issued by the Director & Chief Engineer, APEDA, whereby; the petitioners have been blacklisted by the State Government Agency of Arunachal Pradesh from participating in any tender process/NIQ was also issued.

Mr. Ratan, learned Additional Advocate General for the State submits that he is yet to receive instructions from the Department.

Having regard to the nature of issue raised in the instant writ petition and also taking note of the fact that vide one of the impugned order, dated 30.01.2023, issued by the Director & Chief Engineer, APEDA, the petitioners have been blacklisted by the State Government Agency of Arunachal Pradesh from participating in any tender process/NIQ etc. for life time, which can have an adverse consequence on the petitioners, in the interim, it is hereby provided that till the disposal of this writ petition, the order dated 30.01.2023, issued by the Director & Chief Engineer, APEDA, vide APEDA/W-535/Solar High Masts (6x40W)/2022/3112-29, whereby, the petitionersz

have been blacklisted by the State Government Agency of Arunachal Pradesh from participating in any tender process/NIQ for life time, shall remain suspended.

List it after 4 (four) weeks for filing of the counter-affidavit by the State.

JUDGE

Comparing Assistant