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WP-44163-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 19th OF NOVEMBER, 2025

WRIT PETITION No. 44163 of 2025

A VINASH SHRIVASTAV

Versus

UNION OF INDIA AND OTHERS

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Appearance:

Shri Atul Chaudhary and Shri Mohd. Siddeeqe - Advocate for petitioner.

Shri S.M. Guru - Deputy Solicitor General for respondents.
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ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

Learned counsel for petitioner submits that petition is restricted to the black listing of the petitioner who is a partner in M/s Reliable Movers Infinity. He submits that there is ongoing dispute with the other partner for which an FIR has been lodged upon the complaint of the petitioner. He submits that no show cause notice was issued to petitioner prior to passing order of black listing.

Learned counsel appearing for Union of India/respondents submits that the order of black listing was passed on account of breach of contract and exercising powers under the general conditions of contract. He however concedes that no specific notice was issued prior to exercising the power of black listing.



Reference may be had to the judgment of Hon'ble Supreme Court in *Gorkha Security Services vs. Government (NCT of Delhi) & ors., (2014) 9 SCC 105* wherein Supreme Court has laid down that prior to exercising the power of black listing, it is mandatory to issue a show cause notice.

Since in the present case admittedly no show cause notice was issued to the petitioner, nor any opportunity was granted to explain the circumstances, order of black listing cannot be sustained. The same is accordingly set aside.

It would be open to the respondent to initiate appropriate steps *inter alia* for black listing after issuing a proper show cause notice and giving opportunity to petitioner of being heard.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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