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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 7832/2016 & CM No.32379/2016
SARVESH SECURITY SERVICES PVT LTD Petitioner

Through Mr. Arjun Mitra with Ms.
Aastha Jain, Ms. Sneha Singh
and Ms. Jaskaran Kaur,
Advocates.

versus

GOVT OF NCT OF DELHI AND ANR Respondents
Through Mr. Varun Nischal, Advocate for
respondent No.1.

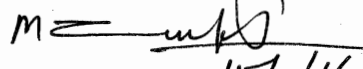
CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
14.09.2016

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The petitioner has filed the present petition seeking quashing of order dated 22.08.2016. It is contended that by the order dated 22.08.2016, the Government of NCT of Delhi, Health & Family Welfare Department has directed the Joint Secretary, O&M to blacklist the petitioner as per Rules with immediate effect from tendering processes. It is contended that in case the said directions are mandatory, grave prejudice would be caused to the petitioner as the respondents have prejudged the issue.

Learned counsel appearing for the respondent submits that the communication dated 22.08.2016 is merely advisory and is not binding on the competent authority insofar as paragraph 11 of the same is concerned. It is contended that a show cause notice has

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already been issued on 04.08.2016, to which a reply has been submitted by the petitioner on 11.08.2016. It is contended that the said show cause notice shall be considered by the competent authority in accordance with law.

The competent authority is directed to consider the show cause notice and the reply submitted by the petitioner in accordance with law without being influenced by anything stated in the communication dated 22.08.2016. The respondent shall pass a speaking order, which shall be communicated to the petitioner. The petitioner shall be afforded an opportunity of personal hearing.

The respondents are directed to redact the name of the petitioner from paragraph No.11 of the communication dated 22.08.2016, which is available on their website till the final decision on the show cause notice.

The writ petition is, accordingly, disposed of with the above directions.


Dasti under the signatures of the Court Master.

SEPTEMBER 14, 2016

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sd/-

SANJEEV SACHDEVA, J

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Court Master
High Court of Delhi
New Delhi