
(2013) 07 RAJ CK 0137
In the Rajasthan High Court
Case No : Civil Writ Petition No. 12424 of 2013

R.C. Gupta

APPELLANT

Vs

Nuclear Power Corporation of India Ltd. and Others

RESPONDENT

Date of Decision : 17-07-2013

Acts Referred:

Citation : (2013) 07 RAJ CK 0137

Hon'ble Judges : Alok Sharma, J

Bench : Single Bench

Advocate : Shailesh Prakash Sharma, for the Appellant;

Final Decision : Disposed Off

Judgement

Alok Sharma, J.—This petition has been filed against the show cause notice dated 17.06.2013 issued by the I/C Transport, RR Site whereunder the petitioner has been called upon to show cause within fifteen days from the receipt of the notice as to why action of blacklisting in public interest should not be taken against the petitioner and for debarring him from participation in all kinds of tenders and contracts issued by the Rajasthan Atomic Power Station, RR Site & all other units of Nuclear Power Corporation of India Ltd. (NPCIL) in future for a period of three years. Heard the counsel for the petitioner and perused the writ petition as also the show cause notice dated 17.06.2013.

2. It is trite that the writ courts do not interfere with show cause notice unless they are made out without jurisdiction or indicate a predetermined mind of the competent authority. No issue of jurisdiction or of predetermination arises in the present case. The petitioner appears to have been engaged in a contractual relationship with NPCIL and in pursuance of certain alleged breaches by him, the show cause notice dated 17.06.2013 has been issued. The petitioner states to have already filed a short reply and if deemed necessary it is for the petitioner to also file a detailed reply to the said show cause notice rather than require this Court to interfere at the threshold.

3. I do not find any ground to interfere with the show cause notice in the present writ petition. The petitioner is at liberty to file a detailed reply to the show cause notice dated 17.06.2013 in addition to his short reply already filed on 12.07.2013. In the event, a detailed reply to the show cause notice dated 17.06.2013 is filed by the petitioner, it is expected that the NPCIL will consider the reply fairly and justly and pass a reasoned and speaking order on the issue of the blacklisting/debarring of the petitioner, if at all warranted in the overall facts and circumstances of the case. In the event the petitioner is aggrieved of any adverse order, he will be free to approach this Court afresh. The writ petition stands disposed of accordingly. Stay application needs no address in view of the petition being disposed of.