

Constitution of India, Article 14, 226 – “public law element” – Every case in which a citizen/person knocks at the doors of the writ court for breach of his or its fundamental rights is a matter which contains a “public law element”, as opposed to a case which is concerned only with breach of [contract](#) and damages flowing therefrom – Whenever a plea of breach of natural justice is made against the State, the said plea, if found sustainable, sounds in constitutional law as arbitrary State action, which attracts the provisions of Article 14 of the Constitution of India – Petitioner who knocked at the doors of the writ court alleged breach of the audi alteram partem rule, as the entire proceedings leading to cancellation of the tender, together with the cancellation itself, were done on an ex parte appraisal of the facts behind his back – Is a case which involves a “public law element”. *Nawabkhan Abbaskhan v. State of Gujarat (1974) 2 SCC 121, relied.*

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