



Tender - Blacklisting of firm - Fundamentals of fair play requires the person concerned should be given an opportunity to represent his case before he is put on the black list. [2023 PLRonline 0124]

**Constitution of India, 1950 Article 226 - Tender - Blacklisting of firm - Fundamentals of fair play requires the person concerned should be given an opportunity to represent his case before he is put on the black list - Admittedly petitioner has been denied a reasonable opportunity to put-forth his case against the proposed black listing of the Petitioner in clear violation of principles of natural justice since the Show Cause Notice and also the order of blacklisting the Petitioner are issued on the same date .**

Show Cause Notice issued is not only vague but also does not provide reasonable period to the Petitioner to respond since it very clearly stipulates 3 days period which is not reasonable period and the same amounts to denial of reasonable opportunity to the Petitioner to represent Petitioner's case before it is put on black list and admittedly is not only in clear violation of Principles of Natural Justice but also irrational - Even before any response could be issued, the Petitioner was black listed without any application of mind in clear violation of principles of natural justice, hastily, unilaterally, without assigning any reasons on the ground that the Petitioner totally failed to fulfil the MOU Clause of tender and failed to maintain proper sanitation in the Hospitals .

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