HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SIDDHARTHA SAH

Writ Petition (M/B) No. 691 of 2026

M/s Jai Durga Construction --Petitioner

Versus

Superintendent Engineer 6th Circle Public Works Department Uttarkashi and Anr. --Respondents

August 24, 2026

Presence:-
Mr. Bhupesh Kandpal, learned counsel for the petitioner.
Mr. B. P. S. Mer, learned Standing Counsel for the State through V.C.

JUDGMENT : (per Mr. Manoj Kumar Gupta, C.J.)

1. The Petitioner submitted a bid along with a turnover certificate from a Chartered Accountant but during course of verification of the turnover certificate, it transpired that the said certificate was a manipulated one and was not issued by the Chartered Accountant concerned.

2. The petitioner was issued a show cause notice wherein the said manipulation was pointed out. The petitioner in his reply admitted that the certificate had some overwriting and according to him, it was on account of human error. It seems that thereafter the matter was placed before the Tender Evaluation Committee and the Tender Evaluation Committee in its

meeting held on 01.06.2026 recommended for cancelling the bid of the petitioner and for blacklisting the petitioner for two years. Consequently, the bid of the petitioner was cancelled.

3. On 03.06.2026, another order was passed whereby the petitioner firm was blacklisted on basis of the recommendation made by the Tender Evaluation Committee. The case of the petitioner is that although he was issued a show cause notice on 26.5.2026 seeking his explanation as to why its bid should not be cancelled, but no show cause notice was issued to the petitioner in respect of blacklisting.

4. Accordingly, the submission is that the order of blacklisting passed by the respondents without any show cause notice to the petitioner in that regard amounts to violation of the principles of natural justice and is therefore unsustainable in law.

5. Learned State Counsel very fairly submits that the respondents have no objection in case the impugned order is quashed, but he further submits that liberty be reserved in favour of the respondents to pass a fresh order after issuing proper show cause notice to the petitioner and providing the petitioner with opportunity of hearing.

6. Accordingly, the impugned order dated 03.06.2026 is hereby quashed, leaving it open to the respondents to issue proper show cause notice to the petitioner and after complying with the principles of natural justice to pass a fresh order in accordance with law.

7. In view of above, the writ petition stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SIDDHARTHA SAH, J.)

Dated : 24.08.2026

Shiv/Akash