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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010248292026**

\+ W.P.(C) 7536/2026 & CM APPL. 36477/2026

M/S ASHOKA INTERNATIONAL .....Petitioner

Through: Mr. Arvind Nigam and Mr. Samraat Nigam, Senior Advocates with Mr. Abhimanyu A. Walia, Ms. Disha Mohanty, Mr. Shourya Mitra, Mr. Aryan Malik, Ms. Arpita, Advocates.

versus

UNION OF INDIA & ANR. .....Respondents

Through: Mr. Neeraj Kumar, CGSC for UOI.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

O R D E R

% 13.10.2026

1. The present petition is filed under Article 226 of the Constitution of India assailing the debarment order dated 12.12.2025 (**'impugned order'**) passed by the respondents.

2. The respondents, by the show cause notice dated 18.11.2025, had asked for a written explanation from the petitioner, as to why "*disciplinary action*" should not be taken against the Petitioner. It is urged by the petitioner that the show cause notice is vague and does not elicit any meaningful response.

3. Further, without waiting for the petitioner's reply to the aforesaid show cause notice, the impugned order was passed, whereby the petitioner was debarred for a period of one year. Additionally, it is

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the case of the petitioner that pursuant to the debarment, it was not permitted to participate in further tenders taken out by the respondents, despite the same not being specifically mentioned in the order.

4. Thus, the challenge of the Petitioner is three-fold; *firstly* that the Notice itself was vague and no proper hearing has been afforded to the Petitioner; *Secondly*, no show cause notice/intimation was given for any proposed action of "*debarment*" and lastly, the impugned order though mentions that the Petitioner has been debarred, however, the same does not specify the extent of debarment and the consequences flowing there from.

5. It is settled law that if any action such as *debarment*, which amounts to *civil death*, is proposed to be taken, the parties shall have to be put to adequate notice and ought to be afforded an opportunity to furnish an explanation in consonance with principles of natural justice.

6. Be that as it may, the learned senior counsel for the Petitioner states that the impugned order, which was passed in December 2025, has almost lived its life and any order directing the Respondents to pass an order afresh, at this stage, will lead to further complications and another round of litigation. He thus, submits that the Petitioner would be satisfied if the impugned order is modified to the period already undergone.

7. Considering the submissions made on behalf of the petitioner and on perusing the record, it is apparent that the show cause notice did not propose any action of debarment. The contents of show cause notice also are not specific. However, at this stage, when the period of debarment is almost over, in the opinion of this Court, ends of justice would be served if the punishment imposed in the impugned order is

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modified up to the period already undergone, i.e., till today. Ordered accordingly.

8. Consequently, it is directed that the petitioner would at liberty to participate in the contracts that may be undertaken, in accordance with law and shall not be disqualified on account of the impugned order.

9. The petition stands disposed of along with pending application, in the aforesaid terms.

AMIT MAHAJAN, J

OCTOBER 13, 2026
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