

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.3952 of 2021

A2Z Infra Engineering Ltd.

..... Petitioner.

-Versus-

Jharkhand Urja Sancharan Nigam
Limited & Ors.

..... Respondents.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Ajit Kumar, Sr. Advocate

For the JUSNL : Mr. Gaurav Raj, A.C. to Mr. Sachin Kumar

Order No.04

Date: 09.05.2022

I.A. No.2839 of 2022:

The present interlocutory application has been filed, seeking amendment in the writ petition, as proposed in paragraph no.4 of the same.

Mr. Ajit Kumar, learned senior counsel for the petitioner, submits that during pendency of the writ petition, the respondent no.2 vide letter no.320/G.M., C&M (NWBP)/ JUSNL dated 21st March, 2022 has terminated the agreement executed by the petitioner, taking recourse of Clause 3.15 of NIT as well as has forfeited all credits, security deposits and bank guarantees available with the respondent no.1 and the petitioner has also been debarred for a period of five years from participating in any future tender to be issued by the respondent no.1.

Having heard learned counsel for the parties and keeping in view that the letter dated 21st March, 2022 has been issued during pendency of the writ petition, which is consequential to the impugned show cause notice dated 13th August, 2021 (initially challenged in the writ petition), the amendment as proposed in paragraph no.4 of the present interlocutory application is allowed.

The petitioner shall file amended writ petition within a week.

I.A. No.2839 of 2022 is, accordingly, disposed of.

I.A. No.5704 of 2021:

The present interlocutory application has been filed for staying the operation of the impugned show cause notice dated 13th August, 2021 (Annexure-14 to the writ petition) issued by the respondent no.2.

Learned senior counsel for the petitioner submits that the present interlocutory application has now become infructuous.

In view of the said submission, I.A. No.5704 of 2021 is dismissed as infructuous.

I.A. No.2838 of 2022:

The present interlocutory application has been filed for staying the operation of letter no.320/G.M., C&M (NWBP)/ JUSNL dated 21st March, 2022 (Annexure-6 to this interlocutory application) issued by the respondent no.2.

Learned senior counsel for the petitioner does not press the present interlocutory application at this stage with a liberty to file a fresh one, if situation so arises.

In view of the said submission, I.A. No.2838 of 2022 is dismissed as not pressed with the aforesaid liberty.

W.P.(C) No.3952 of 2021:

Put up this case under appropriate heading after summer vacation.

Sanjay/

(Rajesh Shankar, J.)