



\$~53

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

% **Date of Decision: 13th August, 2025**

+ W.P.(C) 12198/2025, CM APPL. 49690/2025 & CM APPL.
49691/2025

M/S RAM NIWAS GOEL

.....Petitioner

Through: Mr. Avinash Trivedi and Mr. Rahul
Aggarwal, Advs.
Mob: 9871441764
Email:
aktrivedilawoffices@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Kapil Dutta and Mr. Vansh
Luthra, Advs.
Mob: 9811135509
Email: kapilduttamcd@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

1. The present writ petition has been filed by the petitioner alleging non-consideration of the application dated 27th May, 2025, submitted by the petitioner for revalidation of the registration of the petitioner firm as a Class-I Civil Contractor.
2. Learned counsel appearing for the petitioner submits that earlier, the petitioner had filed an application dated 13th January, 2025, for revalidation of the registration, which was rejected *vide* order dated 17th March, 2025.
3. The aforesaid order dated 17th March, 2025, was challenged by the



petitioner by way of a writ petition being W.P.(C) 5549/2025, titled as “*M/s Ram Niwas Goel Versus Municipal Corporation of Delhi*”, which was decided *vide* judgment dated 29th April, 2025, in the following manner:

“xxx xxx xxx

13. Accordingly, considering the discussion as above, the following directions are issued:

i. The impugned order dated 15th October, 2024, and letter dated 17th March, 2025, are set aside.

ii. In case the MCD intends to remove the petitioner from the approved list of contractors, a formal Show Cause Notice in this regard, shall be issued by the MCD.

iii. The aforesaid Show Cause Notice shall be issued by the MCD within a period of one week from today.

iv. Upon receipt of the said Show Cause Notice, the petitioner shall file a reply thereto, within a period of two weeks, thereafter.

v. Upon filing of the reply by the petitioner, the petitioner shall be granted an opportunity of personal hearing by the concerned official of the respondent/MCD.

vi. Speaking order shall be passed by the MCD within a period of two weeks, after conclusion of the hearing, which is to be given to the petitioner.

vii. In case the petitioner is aggrieved by any speaking order that may be passed by the MCD, the petitioner shall be at liberty to seek his remedies, in accordance with law.

xxx xxx xxx”

4. Learned counsel appearing for the petitioner submits that though the Court had directed that the Show Cause Notice shall be issued to the petitioner within a period of one week from 29th April, 2025, the Show Cause Notice was issued by the respondent-Municipal Corporation of Delhi (“MCD”), only on 13th June, 2025. He submits that the petitioner, thereafter, filed a reply dated 24th June, 2025, to the said Show Cause Notice dated 13th June, 2025. He further submits that no hearing pursuant to the aforesaid



Show Cause Notice dated 13th June, 2025, took place.

5. It is submitted that only after the present petition was served upon the respondent, that a notice dated 05th August, 2025 of personal hearing for 12th August, 2025, was received by the petitioner.

6. However, it is submitted that no hearing took place on 12th August, 2025, as the petitioner was informed not to come for the hearing, and that he shall be intimated later about the next date of hearing.

7. Learned counsel appearing for the petitioner further submits that Show Cause Notice dated 13th June, 2025 issued by the respondent-MCD, is not proper, as the competent authority to issue a Show Cause Notice is the Additional Commissioner (Engineering), while the aforesaid Notice has been issued by the Executive Engineer (Project).

8. Thus, he submits that the application of the petitioner dated 27th May, 2025, for revalidation of the registration of the petitioner's firm and the proceedings with regard to the Show Cause Notice dated 13th June, 2025, are still pending and have not been decided.

9. In response, learned counsel appearing for the respondent-MCD submits that the Show Cause Notice dated 13th June, 2025 has been validly issued, as the same was issued at the zonal level by the Executive Engineer (Projects), with due assent from the competent authority. He further submits that pursuant to the Show Cause Notice dated 13th June, 2025, the hearing notice dated 05th August, 2025 was issued, wherein, the petitioner was directed to appear before the Additional Commissioner (Engineering), who is the competent authority.

10. Learned counsel appearing for the respondent-MCD further submits that the hearing fixed for 12th August, 2025, could not take place as the



MCD Civic Center was closed on account of security reasons, in view of Independence Day.

11. He further submits that the representation of the petitioner, as well as the proceedings under the Show Cause Notice dated 13th June, 2025, shall be concluded shortly, and the next date of hearing shall be intimated to the petitioner today itself.

12. Having heard learned counsels for the parties, this Court proceeds to dispose of the present matter, with the consent of the parties, in the following manner:

- i. MCD shall intimate the next date of hearing for appearance before the Additional Commissioner (Engineering), for the purposes of proceedings under the Show Cause Notice dated 13th June, 2025.
- ii. Upon the petitioner appearing before the Additional Commissioner (Engineering), due hearing shall be granted to the petitioner, with respect to the proceedings under the Show Cause Notice dated 13th June, 2025.
- iii. The proceedings pursuant to the Show Cause Notice dated 13th June, 2025, shall be concluded expeditiously, and a speaking order shall be passed on or before 29th August, 2025.
- iv. The representation dated 27th May, 2025 of the petitioner for revalidation of the registration of the petitioner's firm, shall also be considered by the competent authority.
- v. At the time of considering the representation dated 27th May, 2025 of the petitioner for revalidation of the registration of the petitioner's firm, hearing shall be granted to the petitioner, in accordance with the Principles of Natural Justice.



vi. The representation dated 27th May, 2025, of the petitioner shall be considered, and a final order shall be passed thereon, on or before 29th August, 2025.

vii. In case, the petitioner is aggrieved by any order passed by the respondent-MCD, the petitioner shall have the liberty to seek its remedies, in accordance with law.

13. It is clarified that this Court has not expressed any opinion on the merits of the case, as regards the various contentions raised before this Court.

14. It is further clarified that this Court has not expressed any opinion as regards the representation or the reply submitted by the petitioner and the various contentions raised by the petitioner therein, which shall be decided by the competent authority, after hearing the petitioner.

15. With the aforesaid directions, the present petition, along with the pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

AUGUST 13, 2025/SK