

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.2870 of 2015**

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Shailendra Kumar Son of Manik Lal Gupta, Sadar Gali, Banbari Tola, Agamkuan,  
P.O. Patna City, P.S. - Khajekla, District Patna - 800007

.... .... Petitioner

Versus

1. The Bihar State Power ( Holding) Company Ltd. Vidyut Bhawan, Bailey Road, Patna, through its Chairman - cum - Managing Director.
2. The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Managing Director.
3. The General manager (Human Resources), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
4. The Electrical Executive Engineer, Electric Supply Division, Bankipur, Patna
5. The Junior Electrical Engineer, University Area, Bankipur Supply Division, Bankipur, Patna

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Suraj Samdarshi, Advocate

For the Respondent : Mr. Vijay Kumar Verma, Advocate

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

**ORAL JUDGMENT**

**Date: 23-02-2015**

Heard learned counsel for the petitioner and the respondents.

The sole issue which has been raised at the time of hearing of this writ application is that vide letter no. 230 dated 27.01.2015, as contained in Annexure 3, the petitioner has been informed that his contract for supply of labours has been cancelled with immediate effect. He next contends such coercive step has been taken against him without granting him any reasonable opportunity to explain the matter.

Learned counsel appearing for the respondent-South Bihar Power Distribution Company Limited is not in a position to controvert

the aforesaid issue raised by the petitioner and, thus, the admitted position is that coercive step has been taken by the respondents against the petitioner without following the principle of Natural Justice.

As a result, the decision taken by the respondent no. 4 intimated vide Annexure 3 is quashed and set aside. However, the respondents would be at liberty to take fresh action against the petitioner in the matter concerned in accordance with law after granting him reasonable opportunity. If such a proceeding is initiated by issuing a show-cause notice to the petitioner then the petitioner would be required to respond within the time frame given by the respondents and the matter should be concluded within a reasonable period preferably within eight weeks from the date of issuance of such show-cause notice.

It is further made clear that this Court has not formed or expressed any opinion with respect to the merit of the case of the petitioners.

Accordingly, this writ application stands disposed of.

**(Dr. Ravi Ranjan, J)**

SC/-

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