

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2413 /2014

(Shri Baban s/o Santosh Raut vs. Mah. State Power Generation company
Ltd. And others)

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

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Mr. Rajnish R.Vyas Adv. for the petitioner
Mr. R.E.Mohrir, Adv.for Respondents

CORAM : SMT.VASANTI A. NAIK &
A.M.BADAR, JJ.

DATED : 30th March, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondent no.3 to renew the entry pass/gate pass of the petitioner and allow him to perform his work/duty as a *Mathadi Mukadam* in Koradi Thermal Power Station.

It is submitted on behalf of the petitioner that the petitioner has not been permitted to enter through the gate and his entry pass and gate pass are not renewed. It is stated that the said action has been taken by the respondent no.3 without affording an opportunity of hearing to the petitioner. It is stated that the petitioner could not have been prevented from performing his work/duty as a *Mathadi Mukadam*, without hearing the petitioner.

Since we find that the petitioner was not heard before he was restrained from entering through the Gate and performing his work/duty as a *Mathadi Mukadam* without hearing the petitioner, the impugned action is liable to be set aside. The

action of the respondent cannot be sustained.

In view of the aforesaid, we dispose of the Writ Petition by directing the respondent no.3 to take a decision in respect of the entitlement of the petitioner to carry on his work/duty as a *Mathadi Mukadam*, after hearing the petitioner.

Shri Moharir, the learned counsel for the respondent no.3 states that the said decision would be taken within a period of two weeks after hearing the petitioner.

The statement of the learned counsel is accepted and the same would be binding on the respondent no.3. We direct the petitioner to remain present before the respondent no.3 on 6th April, 2015 so that issuance of notice to the petitioner could be dispensed with.

Order accordingly, with no order as to costs.

JUDGE

JUDGE

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