

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6500 of 2013

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Ram Deo Mahto S/O Late Ram Briksh Mahto R/O Village Ranauli, P.O. Vi Majhauria, P.S. Bathnaha, District Sitamarhi Presently Posted As Switch Board Operator (S.B.O.) Grade-I In The Office Of Electric Supply Sub-Division - Jhanjharpur

.... Petitioner/s

Versus

1. The Bihar State Electricity Board , Now Known As Power And Holding Company Through Its Secretary, Vidyut Bhawan, Baily Road, Patna
2. The General Manager-Cum-Chief Engineer, Mithla Area Electricity Board Darbhanga, Now Known As North Bihar Power Holding Company, Darbhanga
3. The Director Personnel, Now Known As Power And Holding Company Through Its Secretary, Vidyut Bhawan, Baily Road, Patna
4. The Superintending Engineer, Electric Supply Circle, Now Known As North Bihar Power Holding Company, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Gupta, Adv.
Mr. S.K. Saraf, Adv.

For the Respondent/s : Mr. Vijay Kumar Verma, Adv.
(N.B.P.D. Company)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 29-02-2016 Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner has raised a grievance that vide memo no. 2298 dated 11.7.2012, the petitioner was promoted from Switch Board Operator Grade-I to Electrician Grade-II in the pay band of Rs. 5200-20,200/- but, subsequently, the same was withdrawn and the petitioner was asked to report to the previous place of posting.

Learned counsel for the petitioner has submitted that

before passing an adverse order, at least he was required to be heard and, as such, the order is not sustainable whereas the learned counsel for the Power Distribution Company has submitted that the withdrawal was effected on the ground that the petitioner has no requisite qualification of Matriculation and certificate of Electrician and admittedly he does not possess the same.

Such order has been affected without following the principle of natural justice. The petitioner has filed a representation dated 30.7.2012 (Annexure-8 to this writ application) to the Electric Superintending Engineer, Electric Sub-Division, Darbhanga.

For the convenience, learned counsel for the petitioner will file a representation to the General Manager cum Chief Engineer of North Bihar Power Distribution Company and the General Manager, after hearing the petitioner, will take a decision and pass a reasoned order within a period of four months from the date of filing of the representation along with a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

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