

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2810 of 2017

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Ram Pravesh Sharma son of Lakshmi Sharma Resident of village - Gauspur
Ijra, P.S. Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

1. North Bihar Power Distribution Company Limited through its Chairman,
Vidyut Bhawan, Bailey Road, Patna.
2. Managing Director, North Bihar Power Distribution Company Limited, Vidyut
Bhawan, Bailey Road, Patna.
3. Executive Engineer, North Bihar Power Distribution Company Limited,
Vaishali at Hajipur.
4. Assistant Engineer, North Bihar Power Distribution Company Limited,
Vaishali at Hajipur.
5. Assessment Officer cum Junior Engineer, Electric Supply Division, Rural
Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
For the Respondent/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2018 The present writ petition has been filed for quashing

the order dated 30.12.2016 passed by the Additional Collector-
cum-Electricity Appellate Authority, Vaishali on the sole ground
that the said order has been passed without giving an
opportunity of hearing to the petitioner herein, as was directed
by this Court by an earlier order dated 19.05.2015 passed in
CWJC No. 2308 of 2015.

The learned counsel for the respondent does not
dispute the aforesaid fact, as submitted by the learned counsel
for the petitioner.

Having regard to the submissions made by the learned



counsel for the parties, this Court is of the view that since the appellate authority was required to give an opportunity of hearing before passing the final order, the impugned order dated 30.12.2012 passed by the District Appellate Authority cum Additional Collector, Vaishali at Hajipur is contrary to the earlier directions of this Court, hence nonest in the eyes of law.

Accordingly, the order dated 30.12.2012 passed by the District Appellate Authority cum Additional Collector, Vaishali at Hajipur is quashed with liberty to the Electricity Appellate Authority, Vaishali to decide the appeal of the petitioner afresh after giving an opportunity of hearing to the petitioner herein.

The writ petition is allowed to the aforesaid extent.

(Mohit Kumar Shah, J)

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