

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.23977 of 2018

ORDER:

Heard the learned counsel for the petitioner, Sri J.Aswin Kumar, learned counsel for 1st respondent and Sri R.Vinod Reddy, learned counsel for 2nd respondent.

2. Petitioner has filed this Writ Petition assailing the proceedings dt.05-03-2018 of 1st respondent declining to entertain a petition filed by the petitioner before it to determine tariff for the 11th to 20th year of operation of compliance to the petitioner's NCE project situated at Thummadam village, Nidamanur Mandal, Nalgonda District.

3. Learned counsel for the petitioner contends that without providing any hearing to the petitioner, the impugned order has been passed and communicated to the petitioner's counsel.

4. Learned Standing Counsel for 1st respondent does not dispute the fact that no personal hearing is given before passing the impugned order.

5. The 1st respondent has an obligation to provide hearing to the petitioner before coming to a conclusion and that without providing hearing, 1st respondent cannot reject the petition by cryptic order.

6. Therefore, the Writ Petition is allowed; the petition, referred to above, filed by the petitioner, shall stand restored to the file of the 1st respondent; and the 1st respondent shall provide hearing to the petitioner and pass a reasoned order and communicate the same to the petitioner. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 12-07-2018

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