

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 15262 OF 2022

M/s. Sahil Enterprises

.. Petitioner

v/s.

The Superintending Engineer Maharashtra

State Electricity Distribution Co. Ltd. and Anr.

.. Respondents

...

Mr. Rameshwar Gite a/w. Mr. Rohit D. Gorade, Mr. Ashwin Pimpale for petitioner.

Mr. B. V. Samant AGP for respondent – State.

Mr. Rahul Sinha i/by DSK Legal for respondent nos.1 and 2.

...

**CORAM : K. R. SHRIRAM &
KAMAL KHATA, JJ.**

DATED : 12TH DECEMBER, 2022.

P.C. :

1. Petition is taken up for final hearing at this stage by consent of counsels.

2. Petitioner has raised various grounds in the petition, the primary grievance being, in response to the notice dated 28th October 2022, copy whereof is at 'Exhibit-D' to the petition, petitioner has filed the reply to respondent nos.1/2 but no order has been passed. Petitioner is apprehensive

that an order to its prejudice would be passed without following principles of natural justice.

3. Petitioner's counsel states that respondent is relying on certain documents in the notice and copies of those documents have not been provided to the petitioner even though petitioner has also applied under the provisions of Right to Information Act.

4. Both counsel are not fully informed on the status of the proceedings.

5. Therefore we pass the following order:

(a) Within one week from today, respondents 1/2 shall provide copies of documents relied upon by respondents while issuing the notice to the petitioner. If no documents are relied upon, respondents 1/2 shall within one week from today say so in writing to petitioner.

(b) Within two weeks of receipt of documents (unless a communication as mentioned in para 5(a) above is sent) petitioner shall submit further reply.

(c) Within six weeks thereafter respondents shall pass reasoned order but before passing any order give a personal hearing to petitioner, notice whereof shall be communicated atleast five working days in advance.

(d) The order to be passed shall deal with all submissions of petitioner.

(e) Should petitioner wish to file written submissions after the personal hearing, it may do so within three working days of personal hearing.

6. Petition disposed.

7. We clarify that we have not made any observation on the merits of the matter.

(KAMAL KHATA, J.)

(K.R. SHRIRAM, J.)