

IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 12521/2009

MAHESH BASOYA Petitioner
Through Mr. Pawan Pandey, Adv.

versus

NORTH DELHI POWER LTD Respondent
Through Mr. K. Datta, Adv.

CORAM:
HON'BLE MS. JUSTICE GITA MITTAL

ORDER
22.10.2009

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1. By this writ petition, the petitioner assails a bill dated 31st August, 2009. It is submitted by Mr. K. Datta, learned counsel for the respondent that this bill has no co-relation with the subject matter of the earlier settlement which was arrived at with the petitioner on allegations of dishonest abstraction of energy. The impugned bill has been raised against the petitioner on allegations of misuse which are premised on an inspection dated 11th July, 2008 and a final order dated 25th September, 2008. Copies of these documents have been handed over in court. Learned counsel for the petitioner submits that these documents were not served upon the petitioner and he was not aware of the same.
2. Learned counsel for the respondent has handed over a copy of the inspection report dated 11th July, 2008, show cause notice dated 11th July, 2008

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physical file have been compared and
the digital data is as per the physical
file and no page is missing.

and the final order of assessment dated 25th September, 2008 based whereon the impugned bill dated 31st August, 2009 has been raised. The inspection dated 11th July, 2008 and the show cause notice of the same date or the final order dated 25th September, 2009 have not been assailed in the present writ petition.

In view of the above, this writ petition is dismissed with liberty to the petitioner to take appropriate legal remedy if aggrieved by the action of the respondents in accordance with law including on all grounds placed in the present writ petition.

It is made clear that nothing herein contained is an expression of opinion on the merits of the contention raised by the petitioner.



GITA MITTAL, J

OCTOBER 22, 2009