

Court No. - 3

Case :- WRIT - C No. - 32908 of 2023

Petitioner :- Rafeeq

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Sikandar Khan

Counsel for Respondent :- C.S.C.,Baleshwar Chaturvedi

Hon'ble Siddhartha Varma,J.

Hon'ble Manoj Bajaj,J.

1. Instructions filed today be kept on record.
2. Heard learned counsel for the petitioner, learned Standing Counsel and Sri Sateyendra Yadav, Advocate holding brief of Sri Baleshwar Chaturvedi, learned counsel for the respondent no. 2.
3. This writ petition has been filed against the demand notice which was issued to the petitioner for Rs. 78,159/-. Learned counsel for the petitioner submits that this demand notice was sent illegally as the reply of the petitioner was not considered and the final assessment order was passed.
4. Learned counsel appearing for the Electricity Department has produced before the Court a communication dated 26.09.2023, which has been sent to the petitioner, indicating that the earlier demand and the final assessment order have been recalled and now the petitioner was to appear before the Electricity Department on 11.10.2023.
5. Since the learned counsel for the petitioner states that this communication was never received by the petitioner, we provide

that the petitioner may now approach the Electricity Department on 05.12.2023 and the Electricity Department shall, after considering the reply and after hearing the petitioner, pass an appropriate order with regard to the final assessment.

6. This exercise would be completed within a period of two months. For a period of two months or till a decision with regard to the final assessment is taken, no coercive action shall be taken against the petitioner.

7. With these observations, the instant writ petition stands **disposed of.**

Order Date :- 7.11.2023
M.S. Ansari

(Manoj Bajaj, J.) (Siddhartha Varma, J.)