

Court No. - 3

Case :- WRIT - C No. - 31057 of 2023

Petitioner :- Ram Sanehi

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sant Ram Sharma

Counsel for Respondent :- C.S.C.,Gaurav Singh

Hon'ble Siddhartha Varma,J.

Hon'ble Manoj Bajaj,J.

Instructions filed today be taken on record.

Petitioner is challenging the recovery citation dated 31.07.2023.

Learned counsel for the petitioner states that after the provisional assessment was made on 14.10.2023, he had never been served with any final assessment order and therefore, no recovery can be made.

Sri Gaurav Singh, learned counsel for the Electricity Department does not dispute this fact.

Under such circumstances, we quash the recovery citation dated 31.07.2023 and remit the matter back to the Electricity Department. Petitioner is now permitted to reply to the provisional assessment order dated 14.10.2023 within a period of 15 days and thereafter the Electricity Department after considering the reply and after hearing the petitioner decide the matter and shall issue a final assessment order.

With these observations, this writ petition is finally disposed of.

Order Date :- 17.10.2023/Raj