

Court No. - 5

Case :- WRIT - C No. - 32568 of 2023

Petitioner :- Purshottam Gupta @ Purushottam Babu

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

Counsel for Petitioner :- Shiv Kumar Singh,Prakash Chandra Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Piyush Agrawal,J.

1. Heard learned counsel for the petitioner, Shri Narendra Kumar Tiwari, learned counsel for the respondent no.3- Electricity Department, and perused the record.
2. By means of present writ petition, the petitioner has challenged the order dated 30.06.2023 passed by Additional Commissioner, Prayagraj Region, Prayagraj.
3. Learned counsel for the petitioner submits that the impugned order has illegally been passed as the notice was issued on 01.12.2020 against the provisional assessment order, in which neither the assessment number, nor the date, nor the account number nor the police Station has been mentioned therein, hence the provisional assessment order is bad in the eye of law.
4. Rebutting to the said submission, learned counsel for the petitioner submits that the matter cannot be looked into on merit at this stage as the petitioner has not complied the statutory requirement of Section 127 (2) of U.P. Electricity Act, 2003, where the petitioner was required to deposit the statutory amount mentioned therein.
5. On the pointed query put to the counsel for the petitioner that what is illegal in the order for not entertaining the appeal, he could not give any cogent reason.
6. In view of the above, the petition is **dismissed**.

Order Date :- 6.11.2023

Pravesh Mishra