

Court No. - 3

Case :- WRIT - C No. - 34100 of 2023

Petitioner :- Sabharaj Yadav

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Rahul Srivastava, Mohammad Akram

Counsel for Respondent :- C.S.C, Udit Chandra

Hon'ble Siddhartha Varma, J.

Hon'ble Manoj Bajaj, J.

1. By means of this writ petition the provisional assessment order dated 11.01.2021 has been challenged. Learned counsel appearing for the petitioner states that a reply was submitted on August, 2023, but thereafter no final assessment order had been passed. Learned counsel for the petitioner has therefore submitted that a recovery was being made on the basis of the provisional assessment.

2. Learned counsel for the Electricity Department, Sri Udit Chandra states that under no circumstances could the recovery be done on the basis of the provisional assessment.

3. Under such circumstances, the Court considers it appropriate to direct the Electricity Department to consider the representation of the petitioner in accordance with law. Recovery be thereafter done only after the final assessment is done. The representation be decided within a period of two months.

4. For a period of two months or till such time as the representation is decided whichever is earlier no coercive steps would be taken against the petitioner.

5. With these observations, the writ petition is, accordingly, disposed of.

Order Date :- 7.11.2023/vkj