

Court No. - 3

Case :- WRIT - C No. - 34912 of 2023

Petitioner :- Manoj Kumar

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

Counsel for Petitioner :- Pradeep Kumar Yadav

Counsel for Respondent :- CSC, Baleshwar Chaturvedi

Hon'ble Siddhartha Varma, J.

Hon'ble Manoj Bajaj, J.

Instructions filed today be kept on record.

Sri Mata Prasad, learned counsel for the Electricity Department has handed over the communication dated 6.10.2023 indicating that the recovery which was issued to the petitioner on 10.9.2022 has been withdrawn as the same was issued because of a clerical error. Learned counsel for the Electricity Department further stated that in pursuance of the provisional notice, the petitioner had been given a further opportunity.

Learned counsel for the petitioner, however, states that this communication was never received by him, therefore, he could not appear on the subsequent date fixed.

Under such circumstances, we provide that if the petitioner appears on 12th December, 2023 along with the reply, then the petitioner shall be given a personal hearing and reply would also be considered. The complete exercise of arriving at a final assessment will be completed within a period of two months from the 12th December, 2023.

For a period of three months or till decision is taken on the reply of the petitioner, no coercive action shall be taken against the

petitioner.

With these observations, this writ petition is disposed of.

Order Date :- 9.11.2023

Raj