

Court No. - 3

Case :- WRIT - C No. - 36340 of 2023

Petitioner :- Qazi Faisal

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

Counsel for Petitioner :- Mohd. Samiuzzaman Khan

Counsel for Respondent :- C.S.C.,Narendra Kumar Tiwari

Hon'ble Siddhartha Varma,J.

Hon'ble Manoj Bajaj,J.

Heard learned counsel for the petitioner and Sri Rakesh Kumar Mishra, Advocate holding brief of Sri Narendra Kumar Tiwari, learned counsel for the Electricity Department.

Grievance of the petitioner that after the provisional assessment notice was sent to the petitioner the recovery was being made by sending the recovery certificate to the Collector. Learned counsel for the petitioner states that no opportunity was given to the petitioner for replying to the provisional notice.

Learned counsel for the Electricity Department, however, states that if the petitioner approaches the Executive Engineer and submits his reply then the same shall be considered and, thereafter, a final assessment order would be passed.

Giving due consideration to the submission made by the learned counsel for the Electricity Department it is being provided that if the petitioner approaches the Executive Engineer of the Electricity Department on or before 6.12.2023 then the petitioner would be given a personal hearing and his reply would be considered and only, thereafter, the final assessment order shall be passed.

Since we are giving one more opportunity to the petitioner to place his side of the case, the recovery which was being done shall remain, in abeyance for a period of two months. The entire exercise shall be completed within a period of two months from

today.

With these observations/directions the writ petition is disposed of.

Order Date :- 7.11.2023 / vkj