

Court No. - 3

Case :- WRIT - C No. - 36368 of 2023

Petitioner :- Mahendra Singh Yadav

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

Counsel for Petitioner :- Vinod Kumar Yadav, Shashank Kumar

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

Hon'ble Siddhartha Varma, J.

Hon'ble Shekhar B. Saraf, J.

1. Aggrieved by the final assessment order, by which the petitioner was to pay Rs.5,25,313/-, the instant writ petition has been filed.
2. Learned counsel for the petitioner has annexed along with the writ petition the provisional notice dated 15.12.2022 and has alleged that the same was served upon the petitioner on 10.01.2023 by some villager. He contends that when he approached the Electricity Department, no attention was paid to the petitioner and now recovery of the amount as mentioned in the provisional assessment is being made from the petitioner.
3. Learned counsel for the Electricity Department has handed over the instructions and has stated that after the provisional assessment was served upon the petitioner and when no reply was submitted, final assessment has been made and now the petitioner may approach appellate authority under Section 127 of the Electricity Act, 2003.
4. Having considered the averments as have been made in the writ petition, we consider it appropriate that the petitioner be given one more opportunity to contest the provisional assessment. Under such circumstances, if the petitioner approaches the Electricity Department on or before 14.12.2023 and submits a reply, the same shall be considered. The petitioner shall also be given personal hearing. Whole exercise shall be completed within a period of two months from today. For a period of two months, no coercive steps shall be taken against the petitioner. In addition, if the petitioner chooses to enter into One Time Settlement scheme dated 04.11.2020, he may avail the same.
5. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 20.11.2023

Kuldeep