

Court No. - 3

Case :- WRIT - C No. - 8755 of 2023

Petitioner :- Vijay Kumar Kasaudhan

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Energy
Lko. And 4 Others

Counsel for Petitioner :- Shri Narayan Pandey, Ram Bali Tiwari

Counsel for Respondent :- C.S.C., Manish Jauhari

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for petitioner, learned State counsel for the State-respondents and Sri Manish Jauhari, learned counsel for Madhyanchal Vidyut Vitran Nigam Ltd.

2. It has been stated, on the basis of instructions received, by Sri Manish Jauhari, learned counsel for respondents that since in this case after passing the provisional assessment order, the petitioner was given 15 days time to respond to the same, however, no response was filed and accordingly the authorities concerned have issued recovery certificate treating the provisional assessment order to be final order.

3. In this view of the matter, we dispose of this petition permitting the petitioner to move an application raising objection to the provisional assessment within fifteen days from today. In case any application is moved by the petitioner, the same shall be considered treating such application to be response to the provisional assessment. Accordingly, final assessment order shall be passed by the authorities concerned which shall be served upon the petitioner within next four weeks.

4. Till the proceedings under this order are completed, no coercive measure shall be taken against the petitioner.

(Manish Kumar, J) (Vivek Chaudhary, J)

Order Date :- 11.10.2023

Ashish