

Court No. - 3

Case :- WRIT - C No. - 8891 of 2023

Petitioner :- Deepak Kumar Jaiswal

Respondent :- Chairman Madhyanchal Vidyut Vitran Khand And 2 Others

Counsel for Petitioner :- K.K. Singh

Counsel for Respondent :- Manish Jauhari

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Petitioner has approached this Court challenging the impugned recovery/demand notice dated 14.07.2022 by which an amount of Rs.10,69,165/- is sought to be recovered from the petitioner

Learned counsel for the petitioner submits that provisional assessment order dated 11.04.2022 was never served upon petitioner and, therefore, he could not submit his reply to the same and deeming provisional assessment order as final assessment order, demand has been raised against the petitioner.

Shri Manish Jauhari, learned counsel for the respondent nos. 1 and 2 fairly accepts that provisional assessment order was not served upon petitioner. He submits that petitioner may submit his objection against the said assessment order dated 11.04.2022 within a period of two weeks before the respondent no. 2 Executive Engineer, Electricity Distribution Division IIIrd, Milkipur, District Ayodhya who shall consider and decide the same by passing afresh reasoned and speaking order after hearing all the parties concerned within a period of four weeks, thereafter. Any final demand raised against the petitioner shall be subject to the final order passed by the respondent no. 2.

The impugned recovery/demand notice dated 14.07.2022 is hereby quashed.

The writ petition is **allowed.**

Order Date :- 13.10.2023

Arti/-

[Manish Kumar,J.]

[Vivek Chaudhary,J.]