

Court No. - 3

Case :- WRIT - C No. - 9329 of 2023

Petitioner :- Ashok Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Energy Lko. And 2 Others

Counsel for Petitioner :- Jagdish Pratap Pandey

Counsel for Respondent :- C.S.C.,Aprajita Bansal

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for petitioner, Ms. Aprajita Bansal, learned counsel for respondent no.2 and learned Standing Counsel for State.

Petitioner has approached this Court challenging the impugned recovery/demand notice dated 26.08.2023 by which an amount of Rs.14,32,057/- is sought to be recovered from the petitioner

Ms. Aprajita Bansal, learned counsel for respondent no.2 fairly accepts that no final assessment order is yet passed and deeming provisional assessment order as final assessment order, demand has been raised against the petitioner.

Learned counsel for petitioner states that petitioner has already submitted his reply/objection on 29.09.2022 against the provisional assessment order dated 21.09.2022.

Looking into the facts and circumstances of the case, respondent no. 2 Executive Engineer, Electricity Distribution Division (CESS-Fourth), LESA, Madhyanchal Vidyut Vitran Nigam Limited, Gola Kuwan, Hardoi Road, Malihabad, Lucknow is directed to consider and decide the objections filed by petitioner against the provisional assessment order by passing afresh reasoned and speaking order after hearing all the

parties concerned within a period of two weeks from the date a certified copy of this order is placed before him. 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 26.08.2023 is hereby quashed.

The writ petition is **disposed of**.

Order Date :- 19.10.2023

Arti/-

[Manish Kumar,J.] [Vivek Chaudhary,J.]