

Court No. - 3

Case :- WRIT - C No. - 9454 of 2023

Petitioner :- Lalji Verma

Respondent :- State Of U.P. Thru. Prin. Secy. Energy Civil Sectr. Lko.
And Others

Counsel for Petitioner :- Lal Bahadur Khan

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

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Heard learned counsel for parties.
2. Petitioner has approached this Court challenging the recovery notice dated 10.12.2022 issued to the petitioner without deciding his objections filed to the provisional assessment order dated 08.08.2022.
3. Learned counsel for the petitioner submits that provisional assessment order was raised and deeming it final assessment order and without deciding petitioner's objections to the same, recovery notice has been issued.
4. Shri Manish Jauhari, learned counsel for the respondent corporation fairly accepts that petitioner's objections were not considered and without following the procedure, provisional assessment order was deemed to be final assessment order. He submits that petitioner may submit fresh objections against the said assessment order dated 08.08.2022 within a period of two weeks before the respondent no.5-Executive Engineer, Electricity Distribution Division (Madhyanchal Vidhut Vitran Nigam Limited), Jalalpur, District-Ambedkar Nagar who shall consider and decide the same by passing 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.5.

5. In view of the aforesaid, recovery notice dated 10.12.2022 is hereby quashed.

6. Writ petition is **disposed of.**

Order Date :- 30.10.2023

Arti/-

[Manish Kumar,J.]

[Vivek Chaudhary,J.]