

Court No. - 3

Case :- WRIT - C No. - 9566 of 2023

Petitioner :- Farid Ahmad

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Lko. And Others

Counsel for Petitioner :- Sunil Kumar Singh, Manish Mishra

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

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 25.08.2023 issued to the petitioner without deciding his objections filed to the provisional assessment order dated 02.12.2022.
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. Ms. Aprajita Bansal, learned counsel for the respondent corporation fairly accepts that petitioner's objections were not considered and without following the procedure, deeming provisional assessment order to be final assessment order recovery citation was issued. She submits that petitioner may submit fresh objections against the said assessment order dated 02.12.2022 within a period of two weeks before the respondent no.2-Executive Engineer, Electricity Urban Distribution Division, Apron, Madhyanchal Vidyut Vitran Nigam Limited Tal Katora Power House, Sis Gomti Lesa, District-Lucknow 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.2. In case petitioner does not file his objections within the aforesaid period, benefit of this order will not be available to petitioner.

5. In view of the aforesaid, recovery notice dated 25.08.2023 is hereby quashed.

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

Order Date :- 1.11.2023

Arti/-

[Manish Kumar,J.]

[Vivek Chaudhary,J.]