

Court No. - 3

Case :- WRIT - C No. - 9871 of 2023

Petitioner :- Manoj Singh

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

Counsel for Petitioner :- Alok Kumar Srivastava

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

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Heard Sri Alok Kumar Srivastava, learned counsel for the petitioner, learned Standing Counsel for the State and Sri Aprajita Bansal Manish Jauhari, learned counsel for the respondent nos. 2 to 3.

2. Learned counsel for the petitioner submits that as per recovery notice / final assessment order, Rs.6,35,939/- was demanded, against which the petitioner has already deposited Rs.3,00,000/- and he is ready to pay Rs.2,00,000/- within a period of one week, so the electricity connection may be restored to him, which was earlier disconnected by the Department. It is further submitted that for the rest of the amount, the reply of the petitioner may be considered and decided by the Executive Engineer.

3. Learned counsel for the Vidyut Parichan Khand, has no objection to the prayer made by the learned counsel for the petitioner.

4. A perusal of assessment order shows that the reply of petitioner is nowhere considered in the same. In reply petitioner had submitted that he was having valid electricity connection and no checking was conducted in presence of petitioner nor anything was recovered. There is absolutely no consideration of reply of petitioner in the final assessment order. Hence, respondents may be restrained from making any recovery on the basis of final assessment order.

5. In case, the petitioner deposits Rs.2,00,000/- and submits his

objection to the Executive Engineer, Vidyut Parichan Khand, District Raebareli- Respondent No.3 within a week from today, the Respondent No.3 shall consider and decide the same within two weeks thereafter and restore the electricity connect to the petitioner forthwith. The final demand raised against the petitioner shall be subject to the final order passed by the Executive Engineer.

6. With the aforesaid, the writ petition is disposed of.

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

Order Date :- 8.11.2023

S. Kumar