

Court No. - 3

Case :- WRIT - C No. - 10348 of 2023

Petitioner :- Amit Kumar Yadav

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

Counsel for Petitioner :- Farooq Ayoob

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the petitioner, learned Standing Counsel for the respondents/State and Sri Manish Jauhari, learned counsel for the respondent nos.2 to 4.

By the present petition, the petitioner has challenged the recovery certificate dated 30.11.2022, issued against the petitioner on the ground that no final assessment order was passed.

Learned counsel for respondents submits that provisional and final assessment orders were passed against the petitioner. He, however, fairly concedes that no provisional order was served upon the petitioner.

Learned counsel for the petitioner further states that there is an O.T.S. scheme operating which is effective till date and he would like to approach the respondents to avail the benefit under the said scheme.

In view thereof, it is provided that the petitioner may file an application as per the O.T.S. scheme in the prescribed manner today itself. It is further provided that in case an application under the O.T.S. Scheme is filed by the petitioner, the same shall also be decided on priority basis. In case of failure, it shall be open for the petitioner also to file his objections against the provisional assessment within a period of one week from today. In case the said objection is filed, the respondent no.3/Executive Engineer, Power House,

Ram Sanehi Ghat, District Barabanki, shall consider and decide the same in accordance with law by a reasoned and speaking order, within a period of four weeks thereafter.

With the aforesaid directions, the writ petition stands disposed of.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 30.11.2023

Arjun/-