

Court No. - 9

Case :- WRIT - C No. - 10485 of 2023

Petitioner :- Bal Krishna Sharma

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

Counsel for Petitioner :- Suresh Kumar Pandey

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

Hon'ble Rajan Roy,J.

Hon'ble Manish Kumar,J.

After hearing learned counsel for the parties what comes out is that an assessment under Section 126 of the U.P. Electricity Code, 2005 has already been made against which there is a remedy Section 127 of the Code, 2005 which has not been availed. So far as the impugned citation of recovery is concerned, it is only a consequential action. Therefore, in the absence of any challenge to the principal action, this petition for quashing the consequential action is not maintainable.

In view of the above, the petition is not maintainable at this stage. It is accordingly **dismissed** leaving it open for the petitioner to pursue other remedies without being prejudiced by this order.

(Manish Kumar,J.) (Rajan Roy,J.)

Order Date :- 2.12.2023

Shanu/-