

Court No. - 3

Case :- WRIT - C No. - 10689 of 2023

Petitioner :- Smt. Kamlesh Kumari

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

Counsel for Petitioner :- Sushil Kumar Mishra, Saryu Prasad Tiwari

Counsel for Respondent :- C.S.C., Amit Kumar Dwivedi

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for petitioner, Sri Amit Kumar Dwivedi, learned counsel for respondent power corporation and learned Standing Counsel for State.

2. Present writ petition is filed by petitioner challenging the impugned recovery certificate dated 31.10.2023 passed by respondent no.2 Executive Officer (Prescribed Authority), Vidyut Vitran Khand, Rahim Nagar, Lucknow for recovery of amount of Rs.3,40,899/-.

3. The provisional assessment order was given to petitioner on 21.08.2023. Petitioner could have filed its reply within 15 days. It appears that the same was not filed, hence, final assessment order was passed on 31.10.2023.

4. In the given circumstances, since the final assessment order is already passed, petitioner has an alternative remedy of filing an appeal under Section 127 of Electricity Act.

5. With liberty to petitioner to avail the alternative remedy, present writ petition is **consigned** to record.

Order Date :- 11.12.2023

Arti/-

[Manish Kumar, J.]

[Vivek Chaudhary, J.]