

Court No. - 3

Case :- WRIT - C No. - 10828 of 2023

Petitioner :- Mohd. Kasim

Respondent :- Madhyanchal Vidyut Vitran Nigam, U.P.
Lucknow, Thru. Managing Director And Others

Counsel for Petitioner :- Arvind Kumar Tripathi, Shyam
Bahadur

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. The petitioner has approached this Court against recovery certificate raised against the petitioner on the ground that the petitioner was involved in the electricity theft. There is an order passed against him. Admittedly, the provisional order of assessment was passed on 07.07.2021. It is claimed that the final assessment order is passed on 25.03.2023. The order dated 25.03.2023 reads as states that the petitioner has not filed any objection nor considered the representation made by the petitioner. Thus, the final order is without considering the reply of the petitioner.

2. In the given circumstances, the petitioner is permitted to make his objections again within a period of ten days against the provisional assessment order dated 07.07.2021 before the respondent no. 2- Executive Engineer, Electricity Urban Distribution Division, Hasanganj, District Unnao. In case such objection is filed, respondent no. 2 shall consider the same on merits and pass a reasoned and speaking order within a period of two weeks thereafter. Any demand raised against the petitioner shall be subject to the final order passed by respondent no. 2.

3. In case the petitioner fails to file objection within a period of ten days from today, benefit of this order shall not be available to the petitioner. It shall be open for the respondent no. 2 to pass any order forthwith.

4. With the aforesaid observations, the petition is disposed of.

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

Order Date :- 13.12.2023

Virendra