

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.43963 of 2016

ORDER:

Petitioners challenge provisional assessment notices *vide* Lr.No.ADE/OP/Gaganpahad/F-Theft/D.No.1347/16 and Lr.No. ADE/OP/Gaganpahad/F-Theft/D.No.1348/16, dated 06.09.2016.

Learned counsel for the petitioners submit that the petitioners have already paid 50% of the amount provisionally assessed by respondents and the disconnection of power supply, at this stage of matter, without considering the explanation, is illegal, arbitrary and unconstitutional.

Mr.Vinod Reddy, appearing for respondents, contends that the petitioners are under legal obligation to pay compounding fee and the compounding fee payable by petitioner No.1 is approximately Rs.3,25,000/- and petitioner No.2 is Rs.18,000/-. Unless and until the compounding fee is paid, the respondents are well within their power to disconnect power supply to petitioners.

I have perused the writ affidavit and also the material available on record.

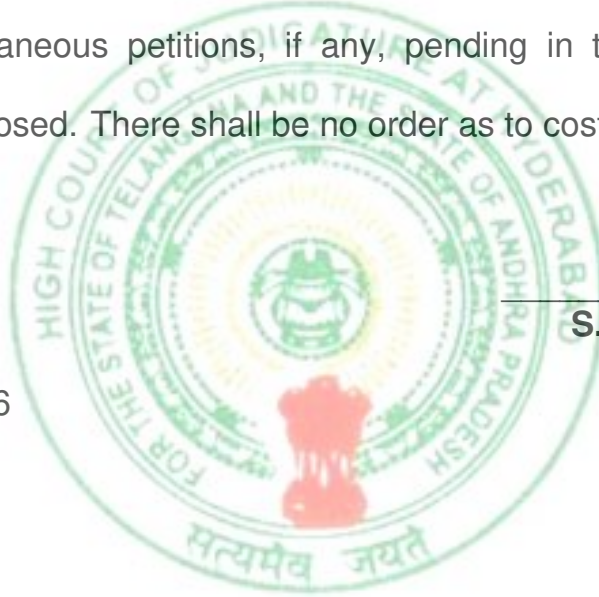
The petitioners challenge provisional assessment notices. After perusing the grounds taken in the affidavit, I am satisfied, the writ petition is disposed of by this order:

“Petitioner No.1 is directed to deposit Rs.1,75,000/- (Rupees one lakh seventy five thousand only), within two weeks from today and petitioner No.2 is directed to deposit Rs.18,000/- Rupees eighteen thousand only), within two weeks from today. Petitioners are given liberty to file additional explanation if so advised by enclosing the proof of payment, within two weeks from today. The respondents, on receipt of explanation, are directed to consider and pass final orders as are deemed fit and proper in the circumstances of the case.”

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Dt:19.12.2016

kdl



S.V.BHATT,J

