

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.38265 of 2016

ORDER:

Heard Mr. L.J. Veera Reddy for petitioner and learned standing counsel for respondents.

2. Petitioner challenges communication issued by second respondent demanding to pay a sum of Rs.56,353/- as illegal, arbitrary and contrary to the facts and circumstances of the case.

3. The standing counsel placed on record the provisional assessment notice dated 08.09.2016 issued by respondents to petitioner. She further submits that if the petitioner gives explanation and as per the normal practice deposits 50% of the demanded amount, the department will consider and pass orders as are required in the facts and circumstances of this case.

4. The second respondent has issued provisional assessment notice. Pursuant to the communication impugned in the writ petition, the petitioner has already deposited Rs.9,000/-. Having regard to the purpose for which the connection is used, amenities provided and the amount already deposited, the writ petition is disposed of by this order:

- a) Petitioner is directed to deposit a further sum of Rs.6,000/- (Rupees Six Thousand only) and also submit explanation within four (4) weeks from today.
- b) Respondents are directed to consider the explanation and pass orders strictly in accordance with law and after verifying each one of the replies given by petitioner.

- c) Till a final decision is passed and communicated to petitioner, the service connection of petitioner shall not be disconnected.

As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

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S. V. BHATT, J

November 8, 2016

Note: Furnish C.C. by 10.11.2016.

(B/o) DSK

