

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos.40064, 40090 & 40102 OF 2017

COMMONG ORDER :

Since the issue involved in all these writ petitions is one and the same, they are being heard together and disposed of by this common order.

These petitions are filed challenging the proceedings No.ADE/D/HNK/F.NO/D.No.1099, 1100 & 1101, dated 06.07.2017 issued by the 4th respondent in respect of Service Connections bearing No.222172306, 222172307 and 222152581, respectively, wherein provisional assessment is made against the petitioner on the ground that petitioner has utilised domestic service connection for other purposes. In the said proceedings the petitioner was asked to pay 50% of the provisional assessment amount, granting liberty to the petitioner to file objections against the same for making final assessment order.

Learned counsel for the petitioner submits that though the petitioner has started RK Hospital Pharmacy only in the year 2016, the provisional assessment is made stating that the said hospital is existing since four years.

On the other hand Sri Zakir Ali Danish, learned Standing Counsel for respondents 2 to 4 submits that provisional assessment has been made on the ground of unauthorised use of electricity under Section 126(5) of the Electricity Act, 2003;

and any how the petitioner can file objections to the provisional assessment.

It is to be seen that since the petitioner was given liberty to file objections to the provisional assessment proceedings dated 06.07.2017, petitioner can raise all his objections by submitting representation.

In view of the same, it is open for the petitioner to make representation by raising all his objections on the provisional assessment, within a period of four weeks from today and on such representation, the respondent authorities shall consider and pass final provisional assessment. Till then, there shall be stay of disconnection on payment of 50% of the demanded amount i.e. 25% of the provisional assessment amount by the petitioner within a period of two weeks from today, which will be subject to final assessment made by the Assessing Officer. If petitioner fails to submit representation by raising all his objections, within the aforesaid period, it is open for the Assessing Officer to pass Final Assessment, as per law.

Accordingly, the writ petitions are disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

04.12.2017
t k.