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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5260/2018, CM No. 20397/2018**
VIKAS BHATIA

..... Petitioner

Through: Mr. Pankaj Bhatia, Adv. with Mr.
Ashish Choudhury, Mr. Dhruv Surana
& Mr. Nipun Goel, Advs.

versus

BSES YAMUNA POWER LIMITED & ANR

..... Respondent

Through: Mr. Sunil Fernandes, SC for BSES
RPL with Mr. Arnav Vidyarthi & Ms.
Nupur Kumar, Advs. for R-1 & 2

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
18.05.2018

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1. The present petition has been filed with the following prayers:-

“i) To issue a suitable Writ, Order or directions quashing the order dated 23.04.2018 passed by Respondent No.2 and the consequent bill dated 23.04.2018;

ii) Award cost to this Writ Petition to the petitioner herein;
AND

iii) Pass such other order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in favour of the petitioner.”

2. The only submission made by the learned counsel for the petitioner in his challenge to the order dated April 23, 2018, is that the Authority

concerned has not considered the representation/reply made by the petitioner at page 128 of the paper book.

3. When the matter was listed on the last date of hearing, the learned counsel for the respondents sought time to take instructions in that regard. The learned counsel for the respondents, on instructions concede to the fact that the representation / reply was not considered. He states, the said representation / reply shall be considered by giving the petitioner a hearing in person and a fresh reasoned order shall be passed.

4. If that be so, the order/demand notice dated April 23, 2018 are set aside. The Assessing Officer Mr. Sanjeev Kumar shall give a hearing to the petitioner on June 04, 2018 at 11 am. The petitioner shall be at liberty to file a supplementary representation, on the same date. On such filing, the supplementary representation shall be considered while passing a final order.

5. The writ petition is disposed of.

CM 20397/2018 (for stay)

In view of the order passed in the writ petition, the application has become infructuous.

V. KAMESWAR RAO, J

MAY 18, 2018/ak