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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7454/2018

ALPHI CHUGH

..... Petitioner

Through: Mr. Rupesh Kumar and Mr. Sandeep
Sharma, Advs.

versus

TATA POWER DELHI DISTRIBUTION LIMITED
(TPDDL)

..... Respondent

Through: Mr. Manish Srivastava, Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **20.07.2018**

Present petition has been filed by the petitioner with the following
prayers:

*“It is, therefore, most respectfully prayed that this Hon’ble
Court may please be to:*

*A) Issue writ / order / directions in the nature of
mandamus to the Respondents for quashing of speaking
order dated 03.07.2018 and consequently final bill for
Dishonest abstraction of Energy (DAE) dated 03.07.2018
in the light of the above averments, and*

*B) 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 order to secure the ends
of justice.”*

The only submission made by the counsel for the petitioner is that the
impugned order has been passed without giving a personal hearing to the

petitioner. Mr. Manish Srivastava, learned counsel appearing for the respondent states, in view of the limited submissions made by the counsel for the petitioner, respondent shall give a personal hearing to the petitioner.

Noting the submissions made, petitioner shall appear before the Assessing Officer namely Mr. B.L. Gupta at Enforcement Assessment Cell, Sector-3 (Opp. Naharpur Village), Rohini, New Delhi – 110085 on July 27, 2018 at 3 PM. During hearing, petitioner shall be at liberty to rely upon such material as available with him and also file additional representation.

It goes without saying that pursuant to the hearing, the Assessing Officer shall pass a reasoned order within one week and communicate the same to the petitioner within one week thereafter.

In view of the above, the impugned order dated July 3, 2018 is set aside. No coercive action shall be taken till such time a fresh order is passed. Petitioner is at liberty to seek such remedy as available in law if an order to the prejudice of the petitioner is passed.

Petition stands disposed of.

CM No. 28558/2018

Dismissed as infructuous.

Dasti.

V. KAMESWAR RAO, J

JULY 20, 2018/jg