SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMS/3408/2026 Abdul Malik --Petitioner **Versus** State Of Uttarakhand and others --Respondents **Hon'ble Pankaj Purohit, J.** Mr. Bilal Ahmed, learned counsel for the petitioner. **2.** Mr. Suyash Pant, learned Standing Counsel for the State/respondent no.1. **3**. Mr. Dharmendra Barthwal, learned counsel for respondent nos. to 5. **4**. After hearing the petitioner and as well as on perusal of record it transpires that the petitioner has taken an electricity connection No. CH.50059 dated 29.04.2026 for running a commercial unit i.e. Ice Factory in the name of M/s Zulekha Enterprises in village Rampur (Roorkee). A first information report was lodged by the respondent/UPCL against the petitioner under Section 135 of Electricity Act, 2003, being FIR No. 0162 of 2026 dated 07.05.2026 registered with Police Station Gangnahar District Haridwar. **5**. Pursuant to the aforesaid FIR a team

			was constituted and the unit of the petitioner was assessed for assessment under Section 126 of the Electricity Act, 2003, and in the said assessment a penalty of Rs.2,30,55,120/ (Two Crore thirty lakh fifty five thousand and one hundred twenty) was imposed against the petitioner. From the record of the writ petition it is noted that that petitioner has not brought that assessment on record. When the penalty has not been paid by the petitioner, a demand notice was issued of the aforesaid amount and the petitioner was directed to make the payment within 30 days from the service of the notice, otherwise the same would be recovered as arrears of land revenue from the petitioner. **6**. Without challenging a assessement order, the petitioner is before this Court. **7**. Learned counsel for the respondent-UPCL has drawn the attention of this Court to Section 127 of The Electricity Act 2003 which provides a remedy of appeal to the person who is aggrieved by the final assessment order made under Section 126 within 30 days of said order to appellate authority i.e. District Magistrate of the

concerned District. Instead challenging the said order, the petitioner is before this Court and therefore the writ petition is not maintainable.

8. I have perused the provision of Section 126 and 127 of the Electricity Act, 2003. There is no manner of doubt in the mind of this Court that the petition is not maintainable in view of the statutory remedy of appeal available to the petitioner against the assessment order passed by respondent-department to District Magistrate as provided under Section 127 of The Electricity Act, 2003.

9. In such view of the matter, no interference is made out and the writ petition is dismissed. It is open to the petitioner to avail the remedy of appeal.

10. It is made clear that this Court has not gone to merit of the claim raised by the petitioner in the present writ petition.

(Pankaj Purohit, J.)
17.11.2026

Nahid