

(2022) 01 UK CK 0007

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2917 Of 2021

Adesh Kumar

APPELLANT

Vs

Managing Director, Uttarakhand Power Corporation Limited &
Others

RESPONDENT

Date of Decision : 04-01-2022

Acts Referred:

Electricity Act, 2003 — Section 127

Citation : (2022) 01 UK CK 0007

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Sanjay Kumar, Dharmendra Barthwal

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. A provisional order of assessment was passed against the petitioner by the Competent Authority in Uttarakhand Power Corporation Limited on

07.03.2011, whereby petitioner was held liable to pay a sum of Rs. 2,44,479/-.

2. It is not in dispute that the said order was not challenged by the petitioner before any higher forum.

3. By means of this writ petition, petitioner wants direction to Managing Director of Uttarakhand Power Corporation Limited to take decision on his representation.

4. Since petitioner has a statutory remedy of appeal under Section 127 of Electricity Act, 2003, therefore, the relief as prayed, in the writ petition, cannot be granted.

5. Accordingly, the writ petition fails and is dismissed. No order as to costs.

6. However, petitioner shall be at liberty to approach the Appellate Authority, if so advised.

7. If petitioner files appeal within one week from today, the Appellate Authority shall consider the delay condonation application of the petitioner, favourably.