

**Anil Kumar Vs. State of U.P. and Others**

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**SooperKanoon Citation :** [sooperkanoon.com/917604](http://sooperkanoon.com/917604)

**Court :** Allahabad

**Decided On :** Mar-17-2011

**Judge :** Satya Poot Mehrotra; Rajesh Chandra, JJ.

**Appeal No. :** WRIT - C No. - 15223 of 2011

**Appellant :** Anil Kumar

**Respondent :** State of U.P. and Others

**Advocate for Def. :** C.S.C.; H.P. Dube, Advs

**Advocate for Pet/Ap. :** Sanjiv Kumar Pandey,Rajeev Kumar Pandey, Adv

**Judgement :**

1. As per the averments made in the Writ Petition, the petitioner was having electricity connection for domestic purposes. There were arrears of electricity dues due from the petitioner. In order to settle the electricity dues, the petitioner deposited Rs. 1,000/- under the One Time Settlement Scheme and got himself registered under the Scheme.

2. Shri Pankaj Dubey, learned counsel for the respondent nos. 2 and 3 has obtained instructions in the matter.He states that even though the petitioner got himself registered under the One Time Settlement Scheme, and accordingly an amount of Rs. 30,986/- was determined as payable by the petitioner under the said Scheme, the petitioner failed to deposit the said amount within the period contemplated under the said Scheme, and consequently, recovery proceedings in

respect of the entire electricity dues have been initiated against the petitioner.

3. Shri Dubey states that an amount of Rs. 85,428.20 is due from the petitioner towards the entire electricity dues. Citation dated 12.1.2011 (Annexure 4 to the Writ Petition) has been issued wherein an amount of Rs. 85,428.20 plus other charges has been shown as recoverable from the petitioner.

4. Shri R.K. Pandey, learned counsel for the petitioner states that the petitioner is ready to deposit the entire amount of electricity dues due from him in case, reasonable time is granted to him for making the deposit.

5. Shri Pankaj Dubey, learned counsel for the respondent nos. 2 and 3 and the learned Standing Counsel appearing for the respondent nos. 1, 4 and 5 have no objection to the above prayer made on behalf of the petitioner.

6. In view of the above, we dispose of the Writ Petition with the direction that within a month from today, the petitioner will deposit the amount of Rs. 85,428.00 plus 50% of collection charges with the respondent no. 2.

7. In case the amount is so deposited by the petitioner, recovery proceedings against the petitioner will be dropped.

8. However, in the event of failure on the part of the petitioner in making the deposit, as mentioned above, this order will stand automatically vacated, and it will be open to the respondents to proceed against the petitioner in accordance with law.

9. The Writ Petition is disposed of with the aforesaid directions and observations.

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