

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

WP(C) 1004/2026 CM(2630/2026)

M/S HOTEL HILLTOP

...Appellant(s)/Petitioner(s)

Through: Mr. Syed Faisal Qadri, Sr. Adv. with
Mr. Mir Adnan Zahoor, Adv.
Vs.

**UNION TERRITORY OF J AND K AND
OTHERS (POWER DEVELOPMENT /
KPDCL)**

...Respondent(s)

Through: None

CORAM:

HON'BLE MR. JUSTICE M. A. CHOWDHARY, JUDGE.

ORDER

08.05.2026

Petitioner, through the medium of this petition, has challenged the decision taken in the minutes of meeting held on 22.05.2025, in connection with the objections filed by the petitioner against the provisional assessment order dated 01.12.2023, with respect to the petitioner-unit bearing Consumer Code No. 05431, having a sanctioned load of 75KW at Pahalgam.

Learned senior counsel for the petitioner, while drawing the attention of this Court towards the provisions relating to investigation enforcement, as contained under Section 126, submitted that after the passing of the provisional assessment order dated 01.12.2023 passed by the Investigating Officer, no final order was passed upon receipt of the objections filed by the consumer. Instead, a novel method has been adopted by the respondents in deciding the matter through the impugned minutes of meeting held in the office of Appellate Authority by a committee of officers, despite no appeal having been filed by the consumer. As such, the impugned order is null and void.

Heard.

Notice to the respondents, returnable within four weeks.

Requisites within one week.

List on **07.07.2026**.

Meanwhile, subject to objections from the other side and till the next date of hearing, the impugned action is stayed.

**(M. A. CHOWDHARY)
JUDGE**

SRINAGAR:

08.05.2026

“Adil Ismail”