

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
AT PANCHKULA**

Case No. HERC/PRO- 5 of 2017

**Date of Hearing : 18.06.2019
Date of Order : 19.06.2019**

In the Matter of

Petition/Application/Complaint under section 142 read with 129 of Electricity Act read with Haryana Electricity Regulatory Commission (Guidelines for Establishment of Forum of Redressal for Grievances of the Consumers, Electricity Ombudsman and Consumer Advocacy) Regulations, 2016 for Handing Over Taking Over (HOTO) of the entire electricity infrastructure at Ansals Aravali Retreat, Village Raisina, Tehsil Sohna, District Gurgaon.

Petitioner Shri Sudhir Aggarwal, Secretary, Raisina Aravali Retreat Residents Welfare Association, R/o G 5B, Ansals Aravali, Village Raisina, Tehsil Sohna, District Gurgaon.

V/s

Respondent Dakshin Haryana Bijli Vitran Nigam, Hisar

Present on behalf of the Petitioner:

- 1) Shri Kuldeep Kumar Kohli, Advocate
- 2) Shri Vijay Pal Malik, Secretary of Ansal Retreat Residents Welfare Association
- 3) Shri Amit Dhir, Ansal Retreat Residents Welfare Association
- 4) Shri, Jaskaraan, Ansal Retreat Residents Welfare Association

Present on behalf of Respondent:

- 1) Shri Manuj Kaushik, Advocate
- 2) Shri Ashutosh Kumar, XEN, DHBVN
- 3) Smt. Rekha, XEN (RA), DHBVN
- 4) Shri Tarsem Rana, DHBVN

QUORUM

**Shri Jagjeet Singh, Chairman
Shri Pravindra Singh, Member
Shri Naresh Sardana, Member**

INTERIM ORDER

1. The matter was heard on 18/06/219 as scheduled.
2. Sh. Kuldeep Kumar Kohli appeared for the Petitioner and submitted that the Commission in its Interim Order dated 15/04/2019 directed the other party Ansal Retreat Residents Welfare Association (ARRWA) to submit the reply in form of affidavit in term of stand taken by the Petitioner that they have no objection for taking over of the entire electricity infrastructure at Ansals Aravali Retreat, Village Rasina. Accordingly, Sh. Vijay Pal Malik, Secretary (ARRWA) appeared before the Commission and submit an affidavit in this regard. However, the Commission noticed that the affidavit was not notarised and copy of the resolution of general body meeting was not attached with it. Therefore, they were directed to submit the appropriate affidavit.
3. Further, Shri Manuj Kaushik appeared for the Respondent submitted that there were various cases of land disputes pending against the Petitioner at various forums including Hon'ble High Court, Hon'ble National Green Tribunal etc. The Ld. Counsel placed on records various newspaper articles in this regard. Therefore, the Commission directed the Petitioner to submit copies of all Petitions and judgements of various cases filed against them before the Commission and to the Respondent. The Petitioner's counsel stated that most of the court cases in question have been defended by him on behalf of the Petitioner in the courts. The Commission directed the Respondent to collect the copies from the counsel of the Petitioner if it needed in filling the reply of the instant case.
4. On enquiry from the Commission to the Respondent related to compliance of the directions as mandated in the Interim order dated 15/04/2019 for submission of complete chronology of conversion from original electrification plan to as on date, reasons for providing commercial connections when original electrification plan did not have any commercial establishment, total load as on date and reasons of not taking over & maintaining the electrical infrastructure up to the meter, where the connections have been directly released by the Respondent, the Respondent submitted that they have submitted the detailed proposal to their higher authorities for approval.

5. Accordingly, the Commission directed the Respondent to submit the information related to Commission's directions as mandated in the Interim Order dated 15/04/2019 and also to submit list of all connections provided to the consumers in the Petitioner's area date wise from first to last connection. Further, any document related to the matter including the licence issued to the Petitioner from District Town and Planning, if not available with Respondent shall be sought from the concerned authorities before the next date of hearing.
6. The Commission again directs the parties to exchange the documents before the next date of hearing.
7. The next date of hearing in the matter is scheduled on 25th June, 2019 at 3:15 P.M.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 19th June, 2019

Date: 19.06.2019 **(Naresh Sardana)** **(Pravindra Singh)** **(Jagjeet Singh)**
Place: Panchkula **Member** **Member** **Chairman**