

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION**

**BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

**Case No. HERC/PRO – 25 of 2019**

DATE OF HEARING : 18.06.2019

DATE OF ORDER : 19.06.2019

**IN THE MATTER OF:**

Complaint under section 142 and 146 of Electricity Act 2003 for contravention and non-compliance of orders dated 22.02.2019 passed by this Hon'ble Commission in PRO No 4 of 2018 titled as B E Office Automation Products Private Limited Versus Orris Infrastructure Private Limited

**Petitioner**

B.E. Office Automation Products Private Limited

**V/s.**

**Respondent**

1. DHBVN, Vidyut Sadan Vidyut Nagar  
Hisar-125005
2. Shri Shatrujeet Kapur,  
Chairman cum Managing Director,  
DHBVN, Vidyut Sadan Vidyut Nagar  
Hisar-125005
3. Shri S.K. Bansal, Director Operations,  
DHBVN, Vidyut Sadan Vidyut Nagar  
Hisar-125005
4. Shri Anil Kumar Goyal,  
Superintending Engineer (OP)  
Circle-I, DHBVN, Near LIC Office Sector-14  
Civil Lines, Gurugram-122007
5. Shri Ranjan Rao,  
Executive Engineer (OP), Manesar Division  
DHBVN, Pataudi Road, Kadipur,  
Gurugram-122001
6. Shri Kuldeep Yadav, SDO (OP), Sub-Division Manesar,  
DHBVN, 3<sup>rd</sup> Floor, HSIIDC Complex,  
Sector-1, IMT Manesar, Gurugram-122051
7. Orris Infrastructure Pvt. Ltd.  
Having Registered Office at RZ-D,5, Mahavir Enclave,  
New-Delhi-110045

## **PRESENT**

On behalf of the Petitioner:

1. Shri Tarun Singla, Advocate
2. Shri Amit Yadav, Director B.E. Office Automation Products Private Limited
3. Shri Ravinder Kumar

On behalf of the Respondent:

1. Shri Abhinav Kansal, Advocate, Orris Infrastructure
2. Smt. Rekha, XEN (RA), DHBVN
3. Shri Ranjan Rao, Xen 'OP' Manesar DHBVN

## **QUORUM**

**Shri Jagjeet Singh, Chairman**

**Shri Pravindra Singh, Member**

**Shri Naresh Sardana, Member**

## **INTERIM ORDER**

1. The case was heard on 18/06/2019, as scheduled. Representatives of all the parties were present during the hearing.
2. The Ld. Counsel appeared on behalf of the Petitioner and as per directions of the Hon'ble Commission in its Interim Order dated 28/05/2019, they brought a cheque bearing number 125680 of Punjab National Bank for an amount of Rs. 12,55,748 payable to Orris Infrastructure Pvt. Ltd. during hearing but the Ld. Counsel for Orris Infrastructure Pvt. Ltd. hesitated to receive the cheque on grounds that the amount is not appropriate.
3. After hearing the arguments of both parties, the Commission directed B.E. Office Automation Products Private Limited to submit Fixed Deposit or Bank Guarantee in the form as mandated in the Note 14 of the Tariff Schedule of FY 2019-20 for the balance undisputed amount to the Orris Infrastructure Pvt. Ltd. which shall be encashed by the Orris Infrastructure Pvt. Ltd after completion of external infra i.e., 33 kV line as per sanctioned load and electrification plan. The said Fixed Deposit or Bank Guarantee be submitted on or before 24<sup>th</sup> June, 2019.

4. Accordingly, the Petitioner agreed to submit the Fixed Deposit or Bank Guarantee of the balance undisputed amount to the Orris Infrastructure Pvt. The Orris Infrastructure Pvt. Ltd. agreed the proposal and accepted the above-mentioned cheque under protest.
5. Further, the Commission directed Orris Infrastructure Pvt. Ltd to provide electric supply to the Petitioner on or before 24<sup>th</sup> June, 2019 and for the interim period, till the case is decided, charge the consumers as per Temporary Supply's Tariff. The differential amount be immediately adjusted in the next billing cycle of consumer's electricity bills after the Final Order is passed by the Commission.
6. The Ld. Counsel for the Orris Infrastructure Pvt. Ltd. also debated about the various charges claimed as undisputed amount by the Petitioner. Accordingly, the Commission directed Orris Infrastructure Pvt. Ltd. to submit on affidavit, before the next date of hearing, having details of charges whether those claimed by them are in line with the provisions of Electricity Act, 2003 and Regulations framed thereunder by the Commission.
7. It is needles to mention here that the obligation of the petitioner to pay/recover proportionate charges shall be subject to final determination of the ongoing arbitration dispute between the parties and shall be subject to the determination of rights by the court of competent jurisdiction
8. The matter was thereafter adjourned and next date of hearing in the matter was scheduled on 25/06/2019 at 3:00 P.M.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 19/06/2019.

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