

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

Case No. HERC/PRO- 42 of 2019

Date of Hearing : 05.11.2019

Date of Order : 05.11.2019

In the Matter of

Application/ Representation in connection to gross Violation of the HERC Regulation 34/2016 which was amended HERC/12/2005 read with Section 61, 83(3) of Electricity Act 2003 and Art 14 , 19 and 300(a) of Indian Constitution of India issued vide impugned sale circular dated 29.08.2016 the intent to give unjustified and undue preference to one of the consumer of another category pertaining to connection from existing independent feeder situated from Nuna Majra Sub Station to Village Soldha (Nayagaon) at a level 11 KV established by the applicant in the year 2007-2008 at his own cost and expenses for his own benefits and non-interrupted continuous supply for his factory in compliance to order dated 7.12.2018 IN CWP no 30174 /2018 challenging order dated 25.11.17 passed by Respondent in utmost arbitrary/unconstitutional manner. Petition under Regulation 5.5 of HERC Single Point Supply Regulations 2013 read with Section 94 of Electricity Act 2003 seeking direction for restraining the private respondents from illegal disconnection of electricity supply and charging beyond applicable electricity Tariff and further direction for refunding the excess recovered amount along-with interest to petitioner which has been illegally recovered by Respondent No. 1 & 2.

Petitioner

M/s Bansal Poles Pvt. Ltd., Bhadurgarh

V/s

Respondents

Uttar Haryana Bijli Vitran Nigam Limited,

Through its Managing Director

Respondent-1

Akaido College of Engineering, Bhadurgarh

Respondent-2

Present on behalf of the Petitioner:

Smt. Reena Chaudhary, Advocate

Present on behalf of Respondent:

None appeared for Respondent No.1

Sh. Jitender Malik, Advocate for Respondent No.2

QUORUM

Shri Pravindra Singh, Member

Shri Naresh Sardana, Member

INTERIM ORDER

- 1) The matter was heard as scheduled. The Ld. Counsel Smt. Reena Chaudhary, appearing on behalf of Advocate Sh. Vikas Sharma, represented the Petitioner. The Ld. Counsel Sh. Jitender Malik appearing on behalf of the Respondent No. 2 submitted the reply which was taken on record.
- 2) No one appeared on behalf of the Respondent No. 1 inspite of the Notice served. Intimation of the date & venue of hearing was communicated from the office of the Commission through Memo No. 7806-09 dated 05/09/2019. It was also informed that the schedule of hearing was also uploaded on the Commission's website.
- 3) The Commission took a serious view regarding non-appearance of Respondent No. 1 inspite of the fact that the date of hearing was communicated around 2 (two) months back. Neither any reply has been filed by Respondent No. 1 nor anybody has been put on appearance on behalf of Respondent No. 1.
- 4) The Commission observes, in order to meet the ends of justice, it would be appropriate that the cost of Rs. 10,000/- be imposed upon Respondent No. 1 on account of non-appearance.
- 5) The matter is adjourned to 27/11/2019 at 11:30 A.M.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 05/11/2019.

Date: 05.11.2019

Place: Panchkula

(Naresh Sardana)

Member

(Pravindra Singh)

Member