

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

**Case No. HERC/P. No. 59 of 2025**

**Date of Hearing : 17/03/2026**

**Date of Order : 08/04/2026**

**IN THE MATTER OF:**

**Complaint Under Section 142, read with Section 146 & Section 149 of the Electricity Act, 2003 & Regulation 2.32 of HERC (corporate CGRF DBHVN & Ombudsman) Regulations, 2020 for imposing penalty u/s 142 and institution of complaint u/s 146 of the Electricity Act, 2003 on account of noncompliance of the order/ direction passed by Ld. Corporate forum CGRF DHBVN for redressal of consumer grievances (CGRF) DHBVN Gurgaon as well as continuing failure to comply with the direction(s) of order number 4884/2025 dated 15.05.2025 by respondent(s) and for direction(s) to ensure strict compliance of the direction issued by the corporate CGRF DHBVN Gurgaon memo number 353/ CGRF /GGN dated 15.05.2025 to impose the penalty as per HERC (Standard of performance of distribution licensee and determination of compensation) Regulation 2020 schedule - II Sub Clause 2 for noncompliance of order with in stipulated time frame of 21 days.**

**Petitioner**

The Heartsong Condominium Association (RWA) Sector 108, Dharampur, Gurgaon through its Gen Secretary Mr. Ishwar Dabas.

VERSUS

**Respondent:**

1. SDO 'OP' Sub Division New Palam Vihar Block-T, Sec-109 Gurgaon
2. XEN 'OP' Division City DHBVN, Near HVPNL Colony Near Police Line Gurgaon.

**Present**

**On behalf of the Petitioner**

Sh. Akshay Gupta, Advocate

**On behalf of the Respondent.**

1. Sh. Raheel Kohli, Advocate
2. Sh. Tarsem Rana, Advocate
3. Sh. Manoj Kumar, XEN, DHBVN
4. Sh. Vikram Singh, SDO, DHBVN

**QUORUM**

**Shri Nand Lal Sharma, Chairman  
Shri Mukesh Garg, Member  
Shri Shiv Kumar, Member**

## ORDER

### 1. **Petition:**

- 1.1 That the Heartsong Condominium Association (THCA) is registered society under Societies act by the District Registrar Gurugram vide registration number HR-018-2018-03377.
- 1.2 That as per HERC regulation 27-2013 the definition of RWA is “ means the Residents Welfare Association or any other similar body which takes over from the Developer the management of various common facilities/services within the complex.
- 1.3 That Mr. Ishwar Dabas (hereinafter be referred as complainant petitioner) is the Gen Secretary of the THCA and authorized by the Board to file the present case through Board Resolution.
- 1.4 The project was handed over by the builder/ developer to the The Heartsong Condominium Association.
- 1.5 That the Heartsong Condominium Association is having a Bulk Supply Domestic electricity connection bearing account number 1103492599 (Old Account number-HT-BS-02).
- 1.6 That the THCA observed that the DHBVN violated the instructions, sales circular of Nigam and regulation(s) passed by the HERC by charging wrong tariff and not following the regulations.
- 1.7 That as per the Standard Operating Procedure and Regulations of the HERC the DHBVN is ought to follow the tariff circulars issued in accordance with the tariff order passed by the commission but never implemented the same in toto.
- 1.8 The HMCA filed a complainant before Corporate CGRF DHBVN Gurgaon on 21.04.2025 and prayed:
  - i. Direct the respondent to comply with the Regulation issued by the HERC and thus allow the 4%rebate units from the consumed units from Mid-2016 to Sep-2020 and 5% rebate from the date of commissioning of 33 KV feeder to so far and to refund the excess amount with 18% / annum interest from the date of approval to the date of payment.
  - ii. Direct the respondent to allow the Slab benefit as per the details given in para XXIV of complaint and refund the excess amount with 18% / annum interest from the date the excess amount was charged till adjustment in bill.
  - iii. Direct the respondent to pay interest on security deposited at rate fixed by Nigam and penal interest @ 18% on delayed payment as per the sales circular D-29/2016 and issue the TDS certificate if any TDS deducted.
  - iv. Direct the respondent to refund the FSA charged in the bill of Aug-2021 with 18% interest from the date this amount was refundable till realization.
  - v. Direct the respondent to refund the excess fixed charges charged with 18% interest from the date this amount was refundable till realization.
  - vi. Direct the respondent to refund the MC tax charged from the date of connection (temporary and permanent) to March-2021 with

18% interest from the date this amount was refundable till realization.

- vii. Direct the respondent to pay the compensation of Rs 1,00,000 to complainant on account of harassment, mental agony, pain suffered by its functionaries and legal expenses incurred and;
- viii. Pass any other or further order which this Hon'ble Forum deems fit and proper in the facts and circumstances of the case in favor of complainant in the interest of Justice.

1.9 That Corporate CGRF DHBVN Gurgaon vide order dated 15.05.2025 disposed the case and the order passed by the CGRF is held as under: After considering the reply of both the complainant and SDO and submissions made by them in the hearing, the Forum observed that: As per the documents, replies submitted by both the parties, forum observed that:

- A. The dwelling units in the complainant's society are 955 including 144 EWS, as has been admitted by the respondent SDO during the hearing and also confirmed from the copy of occupation certificates placed on record. The complainant has already submitted the copies of occupation certificate issued by the DTCP with the respondent and the DHBVN also approved the Sanctioned Load/ Electrification Plan based on the dwelling units/ Project details and FAR. This is the duty of the DHBVN SDO to update the dwelling units and apply the tariff as per HERC regulations. The residents of the society should not suffer because of the negligence on part of the Nigam. The complainant also submitted an application requesting updation of dwelling units i.e. 955 and allowing slab tariff, 4% rebate and interest on ACD, in the office of respondent in March-2019 which was acknowledged by the respondent D O office. The respondent was not able to provide any sufficient reason when Forum enquired from respondent and asked the reason of non updation of correct dwelling unit and allowing the tariff as per HERC regulations.
- B. The respondent in his reply submitted that on 21.06.2016, the complainant
- C. submitted the test report for 140 flats on partial load and Nigam has updated the 140 flats in the system, this reply of the respondent is quite contradictory to the provisions while the complainant submitted that the test report and the dwelling unit data which is being referred by the respondent here is of 21.06.2016. The complainant received the first OC on 30-06-2016 for 144 units + 36 EWS units. Further on perusal of the bills issued to complainant till 2020, are showing the dwelling units Nil while respondent said that 140 units were updated as per test report of June-2016, the respondent is trying to mislead the Forum.
- D. Further there is no norm of updation of dwelling units due to load, that the partial load was sanctioned to the complainant because of the timelines of 33 KV infrastructure which is not proper on the part of the respondent. On perusal of the copy of bills, the Forum

observed that till June-2020 the dwelling units updated was "0", then July-2020 onwards the dwelling units updated as 585 and in Oct-2022 the dwelling unit updated as 140 and from May-2023 the dwelling unit updated as 1. The whole act on the respondent is showing DHBVN as having very casual approach and careless intent towards its valuable consumers. The DHBVN should avoid such situation if SDO had verified the site physically and updated the dwelling units as per the copy of occupation certificate received and accurate application of tariff.

- E. The similar matter related to this subdivision has already been decided by this forum and the respondent.
- F. The respondent SDO submitted that 4% rebate for 11 KV BLSDS consumer as per HERC single point regulation is already given to complainant from 21.06.2016 while the complainant placed the copy of bills for the period 13-June-2016 to Sep-2020 and on perusal of the same, Forum observed that no such rebate was given to complainant.
- G. Further, the area of Sector 106, 107,108,109,112,113,114, 115 and Revenue estates of village Bajghera, Babupur & Dharampur. (Zone -I, Newly extended Municipal Area came under the MCG vide Government Notification No S.O.59/HA/1994/S.3/2020 dated 28.12.2020. This notification was issued by the Commissioner Municipal Corporation Gurgaon on 05.01.2021. As per the Sales Circular of DHBVN, the MC tax was leviable only on those areas which fall under the jurisdiction of Municipal Limit as such the MC tax charged till the issuance of the MCG notification i.e. 05.01.2021 is not leviable.
- H. Forum is of view that after giving many opportunities, the respondent SDO failed to submit the proper reply with documentary evidence as per the grievance of consumer - related to interest on ACD from date of connection, exemption of FSA on bill issued on or after 30.07.2021 ( one month), difference of fix charges, MC tax from DOC to Jan-2021. The issues raised by the complainant are related to the Circulars of Nigam & Regulations of HERC and has already been decided by this Forum, Electricity Ombudsman and HERC and this is the duty of the distribution licensee /SDO -OP. to adhere to the regulations issued by the HERC in true letter and spirit.

The main motto of issuing the Single Point Regulation is to safeguard the interest of consumers who are residing in the Society. The respondent SDO is hereby directed to:

- i. Adjust the 4% rebate to complainant from Nov-18 to Sep-2020 (after verifying the bills) and 5% rebate from the date of energization of 33 KV infrastructure.
- ii. Apply the slab tariff on 180 units (first OC) from Jun-16 to Feb-17, 589 (2<sup>nd</sup> OC) dwelling units from March-2017 to April-2018 and on 955 (final OC) dwelling units from May-2018 onwards and refund the difference of tariff excess charged.

- iii. Adjust the interest on ACD (from the date of depositing the ACD) along with penal interest as per HERC regulations for the period interest accrued delayed. (after verifying the records)
- iv. Refund the FSA charged in the bill issued in the month of Aug-21.
- v. Refund of excess fix charges charged as per the complaint and
- vi. Refund MC tax charged till 05.01.2021.
- vii. The case is closed. No cost on either side.

1.10 The respondent should comply with the order passed by Corporate CGRF DHBVN within 21 days i.e. by 06-06-2025 but respondent failed to comply with the order and direction(s) given by the Corporate CGRF DHBVN Gurgaon.

1.11 That the respondent has failed to comply with the order passed by Ld. Corporate CGRF DHBVN Gurgaon and forced complainant petitioner to file the complaint Before Hon'ble HERC under Section 142 Read with Section 146 & Section 149 of Electricity Act-2003 for non-compliance of order passed by Ld. Corporate CGRF DHBVN Gurgaon dated 06.06.2025.

1.12 Electricity Act, 2003- Section 142 "Punishment for Non-Compliance of directions by Appropriate Commission): in case any complaint is filed before the Appropriate Commission by any person or if that Commission by any person or if that Commission is satisfied that any person has contravened any of the provisions of this Act or the rules or regulations made, thereunder; or any direction issued by the Commission, the Appropriate Commission may after giving such person an opportunity of being heard in the matter, by order in writing, direct that, without prejudice to any other penalty to which he may be liable under this Act, such person shall pay, by way of penalty, which shall not exceed One Lakh Rupees for each contravention and in case if a continuing failure with an additional penalty which may extend to Six Thousand rupees for every day during which the failure continues after contravention of the first direction.

1.13 Section 146: "Punishment for Non-Compliance of orders or directions- Whoever, fails to comply with any order or direction given under this Act, within such time as may be specified in the said order or direction or contravenes or attempts or abets the contravention of any of the provisions of this Act or any rules or regulations made thereunder, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one lakh rupees, with both in respect of each offence and in the case of continuing failure, with an additional fine which may extend to five thousand rupees for every day during which the failure continues after conviction of the first such offence:

(Provided that nothing contained in this section shall apply to the orders, instructions or directions issued under section 121.)

Section 149 (1) Where an offence under this act has been committed by a company, every person who at the time the offence was committed was in charge of and was responsible to the company for the conduct

of the business of the company, as well as the company shall be deemed to be guilty of having committed the offence and shall be liable to be proceeded against and punished accordingly:

(2) Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(3) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of having committed such offence and shall be liable to be proceeded against and punished accordingly.

1.14 Regulation 2.32 of HERC (Corporate CGRF DBHVN and Ombudsman) Regulations, 2020 (Regulation 2.32):

“The decisions of the Corporate CGRF DBHVN will be recorded and duly supported by reasons. The Order of the Corporate CGRF DBHVN will be communicated to the complainant and the licensee in writing within 7 days of the passing of the Order. The licensee shall comply with the order of the Corporate CGRF DBHVN within 21 days from the date of receipt of the order. In appropriate cases, considering the nature of the case, the Corporate CGRF DBHVN, upon the request of the licensee, may extend the period for compliance of its order up to a maximum of three months. The aggrieved consumer may approach the Ombudsman who will provide the consumer as well as the licensee an opportunity of being heard and decide the appeal.

1.15 In case of non-compliance of the order of the appropriate Corporate CGRF DBHVN, the aggrieved consumer may approach the Commission who will provide the consumer as well as the Licensee an opportunity of being heard. The Commission may initiate proceedings under section 142 of the Act for violation of the Regulations framed by the Commission.”

1.16 That as per HERC (Standard of Performance of Distribution Licensee and determination of compensation) Regulation, 2020 Schedule – II Sub Clause 20 provides that in case of compliance of CGRF is not made within the time framed defined in such order or the regulations specified by the commission in this regard, the compensation of Rs.100/- per day or part thereof is payable.

1.17 That as per HERC regulation 27-2013 the definition of RWA is “ means the Residents Welfare Association or any other similar body which takes over from the Developer the management of various common facilities/services within the complex.

1.18 That since the complainant is running a housing society in which all the members are residing and the category of connection is bulk supply domestic, no commercial, hence as per Fee Regulation 10-2005( with its subsequent amendments ) the court fee is NIL.

Prayer: -

It is, therefore, most humbly prayed that considering the submissions brought out above, this Hon'ble Commission may kindly be pleased to:

- i. Institution of complaint under Section 142 RW Section 146 of Electricity Act,2003 for failure to comply with the order / direction passed by the Ld. CGRF on dated 15.05.2025 as well as continuing failure to comply with the directions against the respondent(s).
  - ii. Direct the respondent(s) to comply with the direction(s) given Corporate CGRF DHBVN vide order dated 15.05.2025 and adjust the due refund as per order.
  - iii. To impose penalty of Rs. 1 Lakh on respondent(s) under Section 142 of Electricity Act 2003 for failure to comply with the order / direction passed by Ld. CGRF on 15.05.2025 as well as continuing failure to comply with the directions and adjust/ refund the dues to the complainant.
  - iv. To direct the respondent(s) to pay compensation @ Rs.100/ Day for non-compliance of order passed by CGRF within 21 days.
  - v. To award the penalty imposed on respondent(s) in favor of the complainant- petitioner.
  - vi. Direct respondent(s) to pay Rs. 1,00,000/- (Rs. One Lac only) as court fee and litigation expenses.
  - vii. To allow any other relief as deemed fit by the Hon'ble Commission.
2. The case was heard on 20/08/2025, Sh. Raheel Kohli counsel for the respondent submitted that a review petition was filed before CGRF for review of the order dated 15/05/2025, the same has been decided by the CGRF on 19/08/2025. The counsel submitted the copy of the order dated 19/08/2025 wherein the review petition has been dismissed. The counsel requested for some time to file the further proceedings either challenging the order in Hon'ble High Court or compliance of the orders. The Commission enquired why the review petition was not filed before CGRF with in stipulated time of 21 days and why the review petition was filed after receipt of Notice of instant petition. The SDO concerned narrated the sequence of events but unable to explain the delay therefore, the Commission was not convinced with the explanation. Sh. Akshay Gupta counsel for the petitioner submitted that the respondents are delaying the compliance by filing unnecessary review petition and CGRF has clearly indicated that the issue cannot be agitated time and again. The Commission observes that instead of focusing on the compliance of the orders of various courts, the concerned officers are trying to avoid executions on one pretext or the other. The Commission directed the concerned XEN to hold a weekly meeting with all the officers under his control on the progress of compliance of various court orders so that un-

necessary litigation can be avoided. Acceding the request of the respondent, the Commission adjourned the matter and directed the respondent SDO to submit compliance report within one week with an advance copy to the petitioner. The concerned SDO will remain present and the presence of XEN is exempted for the next date of hearing.

3. The case was heard on 04/09/2025, Sh. Tarsem Rana, submitted the reply to the petition and reiterated that the orders of the CGRF have been complied. Sh. Akshay Gupta, the petitioner's counsel, pointed out that the order has not been complied in toto. The Commission acknowledged the reply submitted during the proceedings. Further, it was directed that in future the replies would not be accepted in court, all replies must be submitted through the registry at least three days before the proceedings with advance copies to petitioner, as required in the Conduct of Business Regulations. The Commission adjourns the matter and directs the petitioner to file its rejoinder by 18/09/2025 with advance copy to the respondent, further the respondent to submit final compliance report by 15/10/2025.

**4. Reply submitted by DHBVN on 04/09/2025:**

4.1 In this connection it is stated that Corporate CGRF, DHBVN, Gurugram passed an order dated 15.05.2025 in favor of the complainant. After taking advice from LR, HPU, Panchkula, this office filed a review petition before Corporate CGRF, DHBVN, Gurugram on dated 21.07.2025. The review petition set aside/dismissed by the Corporate CGRF, DHBVN, Gurugram vide order dated 19.08.2025.

4.2 The complainant filed a complaint before the Hon'ble HERC vide petition no. 59/2025 dated 06.07.2025. The undersigned as well as XEN 'OP' City Division, DHBVN, Gurugram attend the hearing before the Hon'ble HERC on dated 20.08.2025. The Hon'ble HERC directed vide interim order dated 26.08.2025 to comply with the Corporate CGRF Gurugram order dated 15.05.2025 within a week and submit a reply/compliance report with an advance copy to the petitioner.

4.3 The compliance of order dated 15.05.2025 is as under please.

4.4 Adjust the 4% rebate to complainant from Nov-2018 to Sep-2020 (after verifying the bills) and 5% rebate from the date of energization of 33KV infrastructure.

4% rebate, slab benefits & M. Tax from 21.06.2016 to 01.05.2020 has been given and adjusted an amount of Rs. 60,51,325/-. However it is pertinent to mention here that 5% rebate from the date of energization of 33kV infrastructure i.e. dated 25.01.2023 has already been given in his energy bills.

Apply the slab tariff on 180 units (first OC) from June-16 to Feb-17, 589 (2<sup>nd</sup> OC) dwelling units from March-2017 to April-2018 and on 955 (Final OC) dwelling units from May 2018 onward & refund the difference of tariff excess charged.

- 4.5 Slab benefit from 21.06.2016 to 01.05.2020 adjusted as per Annexure-I and from 01.05.2020 to 25.01.2023, an amount of Rs. 832227/- adjusted as per Annexure-3. Slab benefit from 25.01.2023 to 01.11.2024 given to the complainant and adjust an amount of Rs. 6928345/-. Slab benefit from 01.11.2024 to 15.05.2025 has already been given by the RAPDRP system.
- 4.6 Adjust the interest on ACD (from the date of 'depositing the ACD) along with penal interest as per HERC regulations for the period interest accrued delayed.(after verifying the records).  
Interest on ACD from 2016 to 2020 is given to the complainant and adjusted in consumer account. ACD interest from 2020 to 2025 already given by RAPDRP system.
- 4.7 Refund the FSA charged in the bill issued in the month of Aug-2021. The refund of FSA for the. month of Aug-2021 is given to the complainant and adjust an amount of Rs. 101606/-.
- 4.8 Refund of excess fix charges charged as per the complainant. The refund of excess fix charge of Rs. 26187/- has already been given to the complainant in his energy bill for the month of 05.2022.
- 4.9 Refund MC Tax charged till 05.01.2021.  
M Tax of Rs. 522614/- has been adjusted.  
Total Adjustment of Rs. 1,53,96,348/- adjusted in consumer electricity account no. 1951929918 and approved by the CBO Office, Hisar. The same amount will be reflected in the next energy bill of the complainant.

**5. Rejoinder of petitioner submitted on 15/09/2025:**

- 5.1 The reply submitted by the respondent is irrelevant and not based on the directions given by Corporate CGRF DHBVN Gurgaon and regulations/ direction of Hon'ble HERC.
- 5.2 That a bare perusal of the reply filed by the respondents shows that their submissions are completely vague, full of baseless denials and lacking any specific answers to the issues raised in the complaint. The respondents have presented only a concocted story and have miserably failed to address the substantive points of the dispute in hand. It is evident that the respondents are merely trying to escape from their liability by false, vague and baseless denials.
- 5.3 It is further submitted that complainant is not providing a paragraph-wise reply to the reply filed by the respondent (for the sake of brevity) and is setting out its submissions below.
- 5.4 The order of the CGRF is held as under:  
*“ The respondent SDO is hereby directed to:*  
*i. Adjust the 4% rebate to complainant from Nov-18 to Sep-2020 (after verifying the bills) and 5% rebate from the date of energisation of 33 KV infrastructure.*  
*ii. Apply the slab tariff on 180 units (first OC) from Jun-16 to Feb-17, 589 (2<sup>nd</sup> OC) dwelling units from March-2017 to April-2018 and on 955 (final OC) dwelling units from May-2018 onwards and refund the difference of tariff excess charged.*

- iii. Adjust the interest on ACD (from the date of depositing the ACD) along with penal interest as per HERC regulations for the period interest accrued delayed. (after verifying the records)
- iv. Refund the FSA charged in the bill issued in the month of Aug-21.
- v. Refund of excess fix charges charged as per the complaint and
- vi. Refund MC tax charged till 05.01.2021.”

5.5 The respondent SDO in its reply submitted that “Rs 15396348/- ( One Crore Fifty Three Lac Ninety Six Thousand Three Hundred Forty Eight) has been adjusted in consumer account “.

5.6 That the total principle refundable amount against the point number (i) (ii) (iv) (v) and (vi) is Rs. 22250122 (Rupees Two Crore Twenty-Two Lac Fifty Thousand One Hundred Twenty-Two)

Below is the year wise due refund amount

Table-A

Month	Period	Amount Refundable
Apr-18	Sep 16 to March-18	1560866
Apr-19	Apr-18 to March-19	1637339
Apr-20	Apr-19 to March-20	2586857
Apr-21	Apr-20 to March-21	2874875
Apr-22	Apr-21 to March-22	2673969
Apr-23	Apr-22 to March-23	4012343
Apr-24	Apr-23 to March-24	3264729
Apr-25	Apr-24 to March-25	3639144
Total		22250122

5.7 That as per HERC regulation the Nigam cannot charge a single paisa excess other than the tariff but here the respondent kept charging nearly thirty lac / year excess amount other than tariff.

5.8 That as per Section Section 62(6) of the Electricity Act, 2003 if a licensee or a generating company charges a price or rate exceeding the tariff determined by the electricity regulatory commission, they must refund the excess amount along with interest equal to the bank rate to the person who paid it, in addition to any other liabilities they may incur.

5.9 That total amount refundable against excess tarrif along with interest is Rs. 28054690 ( Rupees Two Crore Eighty Lac Fifty Four Thousand Six Hundred Ninety) the detail are as follows:

Table-B

Month	Period	Amount Refundable	Interest
Apr-18	Sep 16 to March-18	1560866	983345
Apr-19	Apr-18 to March-19	1637339	884163
Apr-20	Apr-19 to March-20	2586857	1164085
Apr-21	Apr-20 to March-21	2874875	1034955
Apr-22	Apr-21 to March-22	2673969	721971
Apr-23	Apr-22 to March-23	4012343	722221
Apr-24	Apr-23 to March-24	3264729	293825

Apr-25	Apr-24 to March-25	3639144	
Total		22250122	5804568

- 5.10 That the due refundable amount against the interest on ACD and penal interest is Rs 5478054 ( Rupees Fifty Four Lac Seventy Eight Thousand Fifty Four) ( Calculation sheet attached as PR-2)
- 5.11 Therefor the net refundable amount is Rs. 33,532,744 out of which Rs. 15,396,348 has been adjusted in Sep-2025 bill ( after first hearing before Hon'ble Commission).

Description	Amount
Tarrif + interest	28054690
ACD int + Penal int	5478054
Total	33532744
Already adjusted in Sep Bill	15396348
Balance	18136396

- 5.12 The complainant relies on the judgment passed by the Hon'ble Apex Court in the case titled as Rahul S. Shah Versus Jinender Kumar Gandhi and others, Civil Appeal Number 1659-60 of 2021 with Nos 1661-62 of 2021 and 1663-64 of 2021, decided on April 22, 2021, where the Court held as follows:

*“42.12 The executing court must dispose of the execution proceedings within six months from the date of filing, which may be extended only by recording reasons in writing for such delay.*

*42.13 XXXX.*

*Further, in case an offense against a public servant while discharging his duties is brought to the knowledge of the court, it must be dealt with stringently in accordance with the law.”*

- 5.13 In the matter of addressing wilful disobedience to court orders, the Supreme Court's judgment in Rama Narang v. Ramesh Narang & Ors., (2006) 11 SCC 114, serves as a significant precedent. In this case, the Court emphasized that such deliberate violation not only undermines the authority of the judiciary but also disrupts the lawful operations of businesses and affects the livelihoods of employees. Consequently, the Court imposed a sentence of two months of simple imprisonment and a fine on the respondents, underscoring the judiciary's commitment to upholding the rule of law and ensuring compliance with its directives. This case reinforces the principle that wilful disobedience to court orders cannot be tolerated and must be met with stringent punitive measures to maintain judicial integrity and public confidence in the legal system
- 5.14 Due to the negligence on the part of the respondent the avoidable harassment has been caused to complainant, wasting the time of the commission and imposing a huge financial burden on the Nigam in term of delayed payment interest
- 5.15 That the complainant places a reliance upon the judgement passed by Hon'ble Aptel in the matter Bihar State Electricity Board Versus

CERC ( Aptel, Appeal No 53 of 2009), wherein it was emphasized that the timely compliance with regulations is crucial and that any failure to do so warrant appropriate action.

5.16 That the complainant also relies on the judgement of Hon'ble DERC in Yogesh Vats Versus BRPL (DERC Petition No 31/2020, order dated 09.11.2022), wherein the court has held that:

*"The Commission finds that the Distribution Licensee (BRPL) has willfully failed to comply with the provisions of the Delhi Electricity Supply Code and has harassed the consumer by failing to replace or rectify the defective meter in a timely manner. In exercise of its power under Section 142 of the Electricity Act, 2003, the Commission imposes a penalty upon BRPL and directs it to remedy the violation within 15 days."*

It is, therefore, most humbly prayed that considering the submissions brought out above, this Hon'ble Commission may kindly be pleased to:

- i. Institution of complaint under Section 142 RW Section 146 of Electricity Act,2003 for failure to comply with the order / direction passed by the Ld. CGRF on dated 15.05.2025 as well as continuing failure to comply with the directions against the respondent(s).
- ii. Direct the respondent(s) to comply with the direction(s) given Corporate CGRF DHBVN vide order dated 15.05.2025 and adjust the balance refund amount 18,136,396 ( Rupee One Crore Eighty One Lac Thirty Six Thousand Three Hundred Ninety Six Only).
- iii. To impose penalty of Rs. 1 Lakh on respondent(s) under Section 142 of Electricity Act 2003 for failure to comply with the order / direction passed by Ld. CGRF on 15.05.2025 as well as continuing failure to comply with the directions and adjust/ refund the dues to the complainant.
- iv. To direct the respondent(s) to pay compensation @ Rs.100/ Day for non-compliance of order passed by CGRF within 21 days.
- v. To award the penalty imposed on respondent(s) in favor of the complainant- petitioner.
- vi. Direct respondent(s) to pay Rs. 1,00,000/- (Rs. One Lac only) as court fee and litigation expenses.
- vii. To allow any other relief as deemed fit by the Hon'ble Commission.

#### **6. Compliance Report submitted on 04/11/2025:**

6.1 In this connection it is stated that Corporate CGRF, DHBVN, Gurugram passed an order dated 15.05.2025 in favor of the complainant. After taking advice from LR, HPU, Panchkula, this office filed a review petition before Corporate CGRF, DHBVN, Gurugram on dated 21.07.2025. The review petition set aside/dismissed by the Corporate CGRF, DHBVN, Gurugram vide order dated 19.08.2025.

6.2 The petitioner filed a petition before the Hon'ble HERC vide petition no. 59/2025 dated 06.07.2025. The undersigned as well as XEN 'OP' City Division, DHBVN, Gurugram attend the hearing before the Hon'ble HERC on dated 20.08.2025. The Hon'ble HERC directed vide

interim order dated 26.08.2025 to comply with the Corporate CGRF Gurugram order dated 15.05.2025 within a week and submit a reply/compliance report with an advance copy to the petitioner. The compliance report was submitted by this office vide memo no. 6349 dated 01.09.2025.

- 6.3 The case was heard on dated 04.09.2025 in the court room of the Commission and the Commission acknowledged the reply submitted during the proceedings and directs the petitioner to file its rejoinder by 18.09.2025 with advance copy to the respondent, further the respondent to submit final compliance report by 15.10.2025. The petitioner submitted his rejoinder on dated 12.09.2025 through email.
- 6.4 After receiving the rejoinder this office checked thoroughly the calculation sheet provided by the petitioner. Petitioner provided a calculation sheet with the rejoinder. In the petitioner's calculation sheet, it is found that petitioner made wrong calculation specially from June 2020 to Oct 2020 and some other months as during this period consumer was already charged on lower tariff
- 6.5 In the month of Oct 2024 & March 2025 also the consumer was billed on lower tariff
- 6.6 This office made a calculation after considering the contents of the rejoinder, copy of calculation sheets prepared by this office is attached herewith as Annexure-1,2 & 3. (This amount was already adjusted in the consumer's account)
- 6.7 However, during 01/06/2020 to 01/09/2020 the tariff was revised by this office vide sundry no. 08/107R and charged an amount of Rs. 6323577/-.(Sundry attached as Annexure-4). The above amount is also found refundable to the consumer.
- 6.8 A revised calculation for ACD interest & panel interest also made by this office and a net amount of Rs. 3611523/- was found refundable. (Calculation sheet attached as Annexure-5)
- 6.9 FSA of Rs. 101606/- already refunded to the complainant (Calculation sheet attached as Annexure-6)
- 6.10 The total refundable amount as per Annexure 1,2,3,4,5 & 6 is as under:

S. No.	Description	Amount (Rs.)
1.	Adjustable amount as per Annexure - 1	60,51,325/-
2.	Adjustable amount as per Annexure - 2	8,32,227/-
3.	Adjustable amount as per Annexure - 3	69,28,345/-
4.	Adjustable amount as per Annexure - 4	63,23,577/-
5.	Adjustable amount as per Annexure - 5	50,94,370/-
6.	Adjustable amount as per Annexure - 6	1,01,606/-
G. Total		2,53,31,450/-
Already Adjusted in the consumer account		1,53,96,350/-
New Refundable amount		99,35,100/-

From the above table net refundable amount of Rs. 99,35,100/- found to be adjusted. Sundry of the same has been made by the respondent and the same will be reflected in the next bill of the consumer.

7. The case was heard on 06/11/2025, Sh. Raheel Kohli counsel for the respondent, submitted the compliance report and reiterated that the orders of the CGRF have been complied. Sh. Akshay Gupta, the petitioner's counsel, submitted that the CGRF order is not complied. He, further, submitted that the interest on the admissible amounts has not been refunded.. To the query of the Commission, the concerned SDO submitted that the refund of interest has not been mentioned in the CGRF order. The Commission notes that, although the CGRF order is silent on the matter of interest but such interest remains payable in accordance with the applicable regulations and the Electricity Act and the respondents are liable to pay such amount also. Further, the CGRF orders do not contain clear directions regarding the amounts to be refunded. Accordingly, the Commission advise the CGRFs of both DISCOMs in future to expressly specify the calculated amount to be refunded, the applicable interest on such amounts, and the rate of interest, so as to avoid any ambiguity and any discrepancy in calculations by the parties, the executing officers, the CBO, and the auditors. The Commission adjourns the matter and directs the respondent to file final compliance report within four (4) weeks with advance copy to petitioner.

**8. Compliance Report submitted on 15/12/2025:**

8.1 The present compliance report is being filed on behalf of Dakshin Haryana Bijli Vitran Limited in compliance of the order dated 07.11.2025 passed by this Hon'ble Commission. For ease of reference, the relevant portion of the order is reproduced

*"4. To the query of the Commission, the concerned SDO submitted that the refund of interest has not been mentioned in the CGRF order.*

*5. The Commission notes that, although the CGRF order is silent on the matter of interest but such interest remains payable in accordance with the applicable regulations and the Electricity Act and the respondents are liable to pay such amount also."*

8.2 It is most humbly and respectfully submitted that, without admitting its liability to the pay interest to the Petitioner (as held by this Hon'ble Commission in the above reproduced order — which is contrary to the settled legal position as laid down by the Hon'ble Appellate Tribunal for Electricity in Appeal No. 27 of 2019 titled Maharashtra State Electricity Distribution Company Vs. Maharashtra State Electricity Regulatory Commission & Anr. i.e., State Electricity Regulatory Commission while adjudicating petitions filed under Section 142 of

the Electricity Act, 2003 cannot go beyond the order passed by CGRF) and subject to the outcome CWP No. 31495 of 2025 filed by the Respondent before the Hon'ble Punjab & Haryana High Court, wherein the Respondent has challenged the CGRF order, the Respondent has adjusted the Petitioner's account with an amount of INR 2,97,95,796. Out of the said amount, INR 2,53,31,450 has already been reflected in the Petitioner's bill and the remaining amount of INR 44,64,346 would be reflect in the next energy bill. Copy of the Petitioner bill wherein INR 2,53,31,450 is reflected is attached. Copy the judgement passed by the Hon'ble Appellate Tribunal for Electricity in Appeal No. 27 of 2019 titled Maharashtra State Electricity Distribution Company Vs. Maharashtra State Electricity Regulatory Commission & Anr.is attached.

- 8.3 It is respectfully submitted for the kind consideration of this Hon'ble Commission that the Hon'ble Punjab and Haryana High Court, vide interim order dated 03.11.2025 passed in CWP No. 31495 of 2025, directed the Petitioner to furnish adequate security, in lieu of the adjusted amount, to the satisfaction of this Hon'ble Commission. However, the Petitioner has failed to furnish the requisite security. In view thereof, this Hon'ble Commission is requested to take appropriate cognizance of the same. Copy of the interim order dated 03.11.2025 passed in CWP No. 31495 Of 2025 is attached.
- 8.4 In light above submissions, it is most respectfully prayed that this Hon'ble Commission may be pleased to take the aforesaid compliance on record and be pleased to dispose of the present matter without any order as to cost.
9. The case was heard on 07/01/2026, Sh. Raheel Kohli counsel for the respondent, submitted that the directions of the Commission passed on last hearing have been complied with. Sh. Akshay Gupta, the petitioner's counsel, submitted that the directions with respect to CGRF order have not been complied in toto. He, further, requested for some time to file the rejoinder to the compliance report. The Commission adjourns the matter and directs the petitioner to file its rejoinder within two (2) weeks with advance copy to respondents. Further, the parties to submit their written submissions with in two (2) weeks thereafter
10. The case was heard on 17/03/2026, Sh. Akshay Gupta, the petitioner's counsel, submitted that the directions with respect to CGRF order have not been complied in toto. The due interest on the admissible amounts has not been paid. Sh. Raheel Kohli counsel for the respondent, submitted that the compliance has been made and report as per directions has already been submitted. The due amounts clearly mentioned in the compliance report have been refunded. The petitioner was required to submit his averments on the balance amount, if any, but the same has not been submitted till date which implies that petitioner is not disputing

the amounts already refunded. To the query of the Commission, the concerned SDO intimated that no amount has been charged at higher interest rate and the rate of interest paid is as per prevailing circulars. After hearing the arguments, the Commission directs the parties to submit their written submissions with in two (2) weeks and reserves the order.

**11. Written Submissions of Petitioner submitted on 30/03/2026:**

- 11.1 That the present proceedings arise exclusively from non-compliance of a binding and reasoned order passed by the learned CGRF, whereby the Respondent was directed to refund/adjust interest on Advance Consumption Deposit (ACD) along with penal interest, strictly in accordance with the applicable HERC Regulations and Sales Circulars.
- 11.2 At the outset, it is submitted that the issue involved herein is neither a tariff dispute nor a billing dispute nor a technical issue. The matter is confined only to verification of the Respondent's own ACD ledger and statutory adjustment of interest, which the Respondent was legally bound to do suo-motto and without any adjudication.
- 11.3 The Respondent was under a legal obligation to automatically adjust interest on ACD as per HERC Regulations. No separate adjudication was even required if records were correctly verified.
- 11.4 Had the Respondent discharged its regulatory duty by verifying its own records, the grievance would have stood resolved at the Sub-Division level itself, or at the highest, before the learned CGRF at the first hearing.
- 11.5 Despite the learned CGRF passing a detailed and speaking order dated 26.12.2024, directing refund/adjustment of interest on ACD along with penal interest, the Respondent failed to comply within the mandatory period of 21 days, as prescribed under the applicable Regulations.
- 11.6 The Respondent neither implemented the order nor sought any lawful clarification. Such deliberate inaction compelled the Petitioner to invoke the jurisdiction of this Hon'ble Commission under Sections 142 and 146 of the Electricity Act, 2003.
- 11.7 The present proceedings, therefore, are a direct consequence of regulatory indiscipline and deliberate non-compliance, and not because of any ambiguity in the CGRF order.

**I. DELIBERATE MISREPRESENTATION & STUBBORN DEFENCE**

- 11.8 Consequently, the Petitioner was constrained to file a petition for non-compliance before this Hon'ble Commission under Sections 142 and 146 of the Electricity Act, 2003. Instead of approaching the proceedings with regulatory responsibility and verifying its own official record, the Respondent, even at the very first hearing, chose to justify its inaction by placing incorrect and misleading facts ( on Affidavit) before this Hon'ble Commission, and specifically:

- i. Incorrectly stated that the ACD of the Petitioner was only ₹75,000; ( also a wrong affidavit claiming the compliance has been done filed before the commission )
  - ii. Understated the refundable amount as ₹45,892 against the actual one of Rs. 26,00,000 ( Twenty Six Lac)
  - iii. Denied entitlement to interest on ACD despite express HERC Regulations;
  - iv. Opposed the claim repeatedly despite documentary evidence already available on its own record.
- 11.9 These statements were not minor clerical errors or interpretational differences — they were fundamental misstatements of record. The relevant ACD figures, surcharge calculations, and ledger entries were all within the custody and control of the Respondent only.
- 11.10 Ultimately, after intervention of this Hon'ble Commission and subsequent proceedings before the learned CGRF, the Respondent refunded ₹26,24,145 — an amount which aligns substantially with the Petitioner's detailed calculations placed on record at the very outset. This amount too adjusted in 2 parts i.e ₹23,00,494 Sundry dated 19-12-25 and ₹2,77,759 Sundry dated 28-1-26. ( Copy attached)
- 11.11 This act of respondent clearly establishes that:
- i. The Petitioner's claim was correct from the beginning;
  - ii. The Respondent's earlier stand was untenable and unsustainable;
  - iii. The prolonged litigation was entirely avoidable;
  - iv. The non-compliance petition became necessary solely due to Respondent's refusal to acknowledge its statutory obligation.
- 11.12 The Respondent did not comply the directions of CGRF deliberately . The Respondent did not correct its record on its own. The Respondent complied only after regulatory intervention and judicial scrutiny. That too after repeated hearings.
- Such conduct reflects institutional stubbornness, disregard for statutory regulations, and a troubling pattern of regulatory indiscipline that necessitates imposition of costs to ensure accountability.

## II. PROLONGED LITIGATION

- 11.13 The Petitioner was forced to:
- i. Approach CGRF for a grievance which could have been sorted out at sub division level in first instance.
  - ii. Then approach this Hon'ble Commission for non-compliance,
  - iii. Contest misleading compliance report,
  - iv. Face further remand back proceedings before CGRF DHBVN Gurgaon.
- 11.14 All this was for enforcement of a statutory interest obligation which the Respondent was duty-bound to adjust automatically.
- 11.15 Had the Respondent verified its own ledger in 2024 itself, the matter would have ended at the first stage.
- 11.16 Instead, the consumer had to litigate for nearly two years to secure what was legally and regulatorily due.

## III. FINANCIAL & REGULATORY PREJUDICE CAUSED

- 11.17 Because of the Respondent's conduct:

- i. The Petitioner's working capital remained blocked;
  - ii. Litigation expenses were incurred;
  - iii. Management time was diverted;
  - iv. The Commission's valuable judicial time was consumed;
  - v. Additional delayed interest liability accrued upon the Nigam itself.
- 11.18 Such conduct not only prejudices the consumer but also reflects systemic disregard for regulatory discipline.
- 11.19 If such behaviour goes unchecked, it sends a message that CGRF orders can be ignored until penal proceedings are initiated.

#### IV. PRINCIPLE OF REGULATORY ACCOUNTABILITY

- 11.20 Section 142 of the Electricity Act, 2003 empowers this Hon'ble Commission to impose penalty for non-compliance of orders and regulations.
- 11.21 Compensation in the present case is not merely for reimbursement — it is to:
- i. Deter repeated non-compliance;
  - ii. Ensure accountability of field officers;
  - iii. Prevent consumers from being forced into execution-style litigation for statutory dues.
- 11.22 The Hon'ble Supreme Court has consistently held that wilful or negligent non-compliance undermines regulatory authority and must attract consequences.
- 11.23 When a statutory liability is denied without basis and ultimately paid only after coercive proceedings, costs must follow.

#### V. WHY COSTS ARE NECESSARY IN THE PRESENT CASE

- 11.24 This is a fit case for awarding substantial costs because:
- The grievance was straightforward and record-based;
  - The Respondent had all relevant documents in its custody;
  - The amount ultimately refunded validates the Petitioner's claim;
  - The Respondent's earlier stand stands disproved by its own later action;
  - Litigation was prolonged solely due to Respondent's rigid and evasive approach.
- 11.25 The Petitioner should not suffer financially for enforcing a regulatory right.
- 11.26 Litigation expenses must not become the cost of regulatory compliance for consumers.

#### VI. PRAYER FOR COST & COMPENSATION

In light of the above, it is respectfully prayed that this Hon'ble Commission may:

1. Award litigation costs of ₹1,00,000/- to the Petitioner;
2. Impose penalty under Section 142 of the Electricity Act for failure to comply with CGRF order within stipulated time;
3. Direct payment of compensation for delayed compliance;
4. Pass appropriate observations to ensure future adherence to HERC Regulations regarding ACD interest.

## **12. Written Submissions of Respondent submitted on 31/03/2026:**

- 12.1 The present Written Submissions are being filed in compliance with the Order dated 17.03.2026 passed by this Hon'ble Commission, capturing the arguments advanced on behalf of Dakshin Haryana Bijli Vitran Nigam Limited ("Respondent") on 17.03.2026, primarily with respect to the compliance of the Order dated 15.05.2025 passed by the Ld. CGRF ("CGRF Order").
- 12.2 During the course of hearing the Ld. Counsel appearing on behalf of the Petitioner made an uncorroborated submission that CGRF Order has not be complied in toto. The due interest on the admissible amount has not been placed.
- 12.3 Refuting the submissions made by the Ld. Counsel for the Petitioner, the following submissions were advanced on behalf of the Respondent:
  - A. In compliance with the order dated 07.11.2025 passed by this Hon'ble Commission, the Respondent filed a compliance report on 03.12.2025 ("Compliance Report"), wherein, inter alia, it was demonstrated that the Respondent has duly complied with the order passed by the CGRF. Accordingly, the Respondent adjusted an amount of INR 2,97,95,796 (Rupees Two Crores Ninety-Seven Lakhs Ninety-Five Thousand Seven Hundred Ninety-Six) in the Petitioner's account.
  - B. Upon filing of the Compliance Report, this Hon'ble Commission, vide order dated 08.01.2026, was pleased to grant a specific opportunity to the Petitioner to file its response, if any, to the Compliance Report.
  - C. Notwithstanding the aforesaid opportunity expressly granted by this Hon'ble Commission, the Petitioner has failed to file any response to the Compliance Report, which is a conscious and deliberate abstention from controverting the contents thereof. In law, such failure to specifically deny or traverse material assertions constitutes an admission by conduct, and the Petitioner, having elected to remain silent despite due opportunity, must be deemed to have accepted both the correctness of the amount adjusted by the Respondent and the factum of compliance with the CGRF order.
  - D. The Petitioner's attempt to allege non-compliance is nothing but a abuse of the process of this Hon'ble Commission. The objections being raised are wholly frivolous, vexatious, and devoid of any merit, particularly inasmuch as the Petitioner has failed to point out a single discrepancy or error in the figures set out in the Compliance Report.
  - E. The bald and unsubstantiated allegation regarding non-payment of interest has been raised in a vacuum, bereft of any pleadings, computation, or supporting material whatsoever. Such vague and omnibus assertions, in the absence of any demonstrable discrepancy, are wholly untenable and liable to be rejected outright. It is further submitted that the rate of interest applied by the Respondent is strictly in consonance with the prevailing

circulars and the applicable regulatory framework, which position has, in any event, not been disputed by the Petitioner at any stage.

12.4 It is respectfully submitted that, during the course of arguments, the Ld. Counsel for the Petitioner sought to place reliance on certain judgments, namely, *Alok Shanker Pandey vs. Union of India & Ors.* and *Virender Sharma vs. Director, Enforcement Directorate*; however, the copies of the said judgments were not furnished to the Respondent's Counsel during the hearing, thereby depriving the Respondent of a fair opportunity to examine and address the same at the relevant stage. The said judgments were only subsequently made available through the Registry of this Hon'ble Commission upon a specific request made on behalf of the Respondent. Without prejudice, it is submitted that the said judgments are wholly inapplicable to the facts of the present case, as they do not pertain to or arise under the provisions of the Electricity Act, 2003 or any consumer dispute framework governing the present proceedings. It is further submitted that the rate of interest, as applied by the Respondent, is strictly in accordance with the prevailing circulars and applicable regulatory framework, which position has not been disputed by the Petitioner at any stage.

In view of the foregoing submissions, it was respectfully submitted that the Respondent has duly and fully complied with the order passed by the CGRF, as evidenced by the Compliance Report placed on record, and no substantive or tenable objection thereto has been raised by the Petitioner. The allegations sought to be made are vague, unsubstantiated, and devoid of any legal merit, and the reliance placed on inapplicable judgments is wholly misconceived. In these circumstances, no cause survives for further adjudication in the present proceedings. It is, therefore, most respectfully prayed that this Hon'ble Commission may be pleased to take the Compliance Report on record and dispose of the present matter accordingly.

**Commission's Order:**

1. The Commission examined the petition in detail along with the reply, additional submissions and rejoinder on record and heard the arguments of the Petitioner and Respondents in the above matter. The primary issue crops from the respondent's failure to comply with the CGRF order dated 15/05/2025. The petitioner, sought the intervention of the Commission under Sections 142, 146, and 149 of the Electricity Act, 2003, arguing that the respondent's non-compliance constituted a wilful contravention of the law and HERC regulations. The grievances centered on the incorrect application of domestic bulk supply tariffs and the failure to update dwelling units. Specifically, the CGRF directed the respondent to apply slab tariffs based on the phased issuance of occupation certificates: 180 units from June 2016, 589 units from March 2017, and 955 units from

May 2018 onwards. The petitioner submitted that despite these clear directives, the respondent initially only adjusted 140 units, demonstrating a casual approach toward its consumers.

2. A critical area of contention involves the calculation of rebates and interest on security deposits. In its reply, DHBVN claimed to have adjusted Rs. 1,53,96,348, asserting that the 5% rebate for the 33 KV infrastructure had been provided since January 25, 2023. However, the petitioner's rejoinder, challenged these figures as vague and baseless, presenting a detailed Table-B claiming a total refundable amount of Rs. 2,80,54,690/- for tariff and interest, plus Rs. 54,78,054/- for ACD and penal interest, totaling a net demand of Rs. 3,35,32,744/-. The petitioner relied on the Supreme Court's rulings on disposal of execution proceedings within six months, and emphasizing that willful disobedience of court orders undermines judicial integrity. Furthermore, the petitioner requested for imposition of penalties under Section 142 of the Electricity Act for continued harassment and failure to comply with regulations.
3. The CGRF noted that MC Tax was not leviable in the petitioner's area until the Government Notification dated 05/01/2021, and ordered a refund of all such taxes charged prior to that date. While the respondent eventually adjusted Rs. 5,22,614/- for MC Tax and Rs. 1,01,606/- for FSA, the petitioner maintained that these adjustments remained incomplete in the context of the total dues. The respondent, in its defense argued that the Commission, while adjudicating under Section 142, cannot go beyond the original CGRF order. DHBVN also moved the Hon'ble Punjab & Haryana High Court in CWP No. 31495 of 2025, which resulted in an interim order on 03/11/2025, requiring the petitioner to furnish security in lieu of the adjusted amounts, a requirement the petitioner allegedly failed to meet.
4. The Commission, throughout the hearings, observed that the respondent's officers appeared to be avoiding execution on various pretexts. In a subsequent compliance report on 15/12/2025, the respondent informed the Commission that it had adjusted a total of Rs. 2,97,95,796/- in the petitioner's account, with Rs. 2,53,31,450/- already reflected in the bills and the balance of Rs. 44,64,346/- slated for the next billing cycle. Regarding the issue of interest which was not explicitly detailed in the CGRF order, although such interest remains payable under the Electricity Act and applicable regulations, but its beyond the jurisdiction under section 142 of the Electricity Act, 2003.

5. The Commission observes, while the respondent has made substantial adjustments of nearly Rs. 2.98 crore, the delay in compliance and the initial resistance to implementing the CGRF's dwelling unit and rebate directives signify a lapse in statutory duty. However, the substantial subsequent compliance and the pendency of the matter before the High Court regarding the underlying CGRF order, have largely mitigated the financial grievance.
6. The matter remains subject to the final outcome of the High Court proceedings, but for the purposes of the execution petition, the Commission observes that the order of CGRF has been complied with now, nothing remains to be adjudicated in the present petition. However, the dispute was primarily pertaining to non-compliance of the CGRF orders in timely manner. The negligence on the part of officials/officers of Respondent Nigam cannot be ignored.
7. The Commission, therefore, directs the respondent DHBVN to make payment of ₹50,000/- Court Fee deposited by the petitioner along with ₹15,000/- towards litigation expenses to the petitioner within 30 days from the date of this order.
8. MD, DHBVN is directed to order an enquiry for the said lapses and take appropriate action on the delinquent officers/officials for causing harassment to the consumer and to recover the monetary loss caused to the Nigam from such officers/officials and enquiry report be submitted for information of the Commission with in 3 months.
9. The petition is disposed of, in above terms.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 08/04/2026.

<b>Date: 08/04/2026</b>	<b>Sd/-</b> <b>(Shiv Kumar)</b>	<b>Sd/-</b> <b>(Mukesh Garg)</b>	<b>Sd/-</b> <b>(Nand Lal Sharma)</b>
<b>Place: Panchkula</b>	<b>Member</b>	<b>Member</b>	<b>Chairman</b>