

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

Case No. HERC/P. No. 41 of 2022

Date of Hearing : 01.03.2023

Date of Order : 06.03.2023

IN THE MATTER OF:

Petition under Section 43, 46 and 50 of the Electricity Act, 2003 and Regulation 8 and 9 of the HERC Duty to Supply Electricity on Request, Power to Recover Expenditure incurred in providing Supply and Power to require Security) Regulations, 2016 (“Duty to Supply Regulations”) and Regulation 16 of the HERC Electricity Supply Code Regulations, 2014 (“Supply Code”) read with Section 142 and 146 of the Electricity Act, 2003.

Petitioner

Dakshin Haryana Bijli Vitran Nigam, Vidyut Sadan, Vidyut Nagar, Hisar,
Haryana – 125005

VERSUS

Respondent:

M/s Malibu Estate and Infrastructure; 38, DDA Commercial Complex, Kailash
Colony, Exten- Zamrudpur, New Delhi -110048 through its Managing Director

Present

On behalf of the Petitioner

Sh. Samir Malik, Advocate

On behalf of the Respondent

Sh. Anurag Jain, Advocate

QUORUM

Shri R.K. Pachnanda, Chairman

Shri Naresh Sardana, Member

INTERIM ORDER

1. The case was heard on 01.03.2023, as scheduled, in the court room of the Commission.
2. At the outset, Sh. Anurag Jain, counsel for the respondent submitted details w.r.t to their readiness and progress to cure the alleged inadequacy. He submitted that the respondent has been granted license for developing the plotted as well as group housing society on land measuring 204.76 acre, at Sector 47 and 50, Gurugram for which the licenses were issued by Town and Country Planning, commencing from year 1992 to 1997 and only one license was issued in the year 2008.
3. Sh. Jain further submitted that initially the electrification of the licensed area approved prior to 2003 was envisaged on 11 KV and subsequently with the issuance of license in the year 2008, the electrification scheme was revised with creation of 33KV Sub-station, for which the respondent had accordingly allotted the work of creation of 33 KV Sub-Station in 2012 itself and major materials including transformers have already been received in their store. The work has not been completed as yet, as the matter is pending before the office of Town and Country Planning. He further submitted that, the moment final approval is granted by DTCP, the said sub-station shall be commissioned on urgent basis. Thus, the respondent has been meticulously complying with all the statutory provisions as well as the instructions being issued by the licensing authority from time to time. As on date, there is not even a single individual owner/occupier in the township, who has made any complaint regarding shortage of supply, non-providing of electricity connection or upgradation in the load requirement.
4. Per contra, Shri Samir Malik, counsel for the petitioner submitted that all requirements for curing the electrical inadequacy are not yet fulfilled by the respondent as one 33 KV substation along with other internal/external development is pending for completion. He further requested to grant some time to file a detailed affidavit enumerating inadequacies on the part of developer.
5. The Commission after hearing the prayer of the petitioner grants two weeks' time to file the requisite affidavit and the respondent to file its rejoinder within four weeks thereafter as requested for.
6. The matter to come up again on 03.05.2023.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 06.03.2023.

Date: 06/03/2023

Place: Panchkula

(Naresh Sardana)

Member

(R.K. Pachnanda)

Chairman

HERC