

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

**Case No. HERC/P. No.69 of 2022**

**Date of Hearing : 09.03.2023**  
**Date of Order : 13.03.2023**

**In the Matter of**

**PETITION in terms of Section 43 & 86 of the Electricity Act, 2003 (as amended up to date), and Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations Second Amendment, 2019 for setting aside the notice/orders dated 01.09.2022 whereby, the petitioner has been called upon to either provide land of 500 Sq. yards for creation of 33 KV Switching Station or in the alternative to give consent to abide by the provisions as contained in sale circular D-28 of 2018.**

**Petitioner**

M/s Aakarshan Estates Pvt. Ltd., Registered Office 4<sup>th</sup> Floor, M2K Corporate Park Block N Mayfield Garden, Sector 51, Gurugram, Gurgaon Haryana-122003,

**Respondent(s)**

1. Dakshin Haryana Bijli Vitran Nigam Ltd., Vidyut Nagar, Hisar through its Managing Director.
2. Chief Engineer/ Commercial, DHBVNL, Hisar.
3. Superintending Engineer/ Commercial, DHBVNL, Vidyut Sadan, Hisar.
4. Superintending Engineer/R-APDRP, DHBVNL, Vidyut Sadan, Hisar.
5. Director General, Town and Country Planning, Haryana, Nagar Yojna Bhawan, Plot No.3, Block-A, Sector-18-A, Madhya Marg, Chandigarh SDO Operation Sub-Division, DHBVNL, Dharuhera.
6. Superintending Engineer OP Circle, DHBVNL, Jhajjar Road, Rewari.

**Present:**

**On behalf of the Petitioner:**

1. Sh. Ashwani Talwar, Advocate
2. Sh. Sumit Aggarwal, Advocate

**On behalf of the Respondents:**

1. Sh. Samir Malik, Advocate
2. Sh. Akash Lamba, Advocate

## **QUORUM**

**Shri R.K. Pachnanda, Chairman**  
**Shri Naresh Sardana, Member**

1. The case was heard on 09.03.2023, as scheduled, in the court room of the Commission.
2. At the outset, Shri Samir Malik, counsel for the respondents submitted that to avoid any controversy NOC has been issued to the petitioner.
3. Per contra Sh. Ashwani Talwar Advocate for the petitioner submitted that conditional NOC has been issued even though there are no regulations in force. He requested for issue of direction to the respondents to issue unconditional NOC.
4. Mr. Malik submitted that as such like connections may be required to be shifted on 33 KV after framing regulations, the cost incurred should be pass through and allowed in ARR of relevant year.
5. The Commission observes that while making submission for release of connection of M/s apex Builldwell Private Limited for a load of 2986 KW/3317.78 KVA in review petition No. 01 Of 2022 the respondents stated that for load above 2 MVA and upto 5 MVA it is discretion of utility to release connection at 33 KV or 11 KV depending upon planning of infrastructure in a particular area and thus conceding that for load below 2 MVA, prospective consumer shall continue to be given connection at 11 KV as per provision of supply code.
6. After hearing the Ld. Counsels for petitioner and respondents, the Commission directs the respondents to issue unconditional NOC with in a week and made it clear that in case of non-compliance of directions, proceedings under section 142 will be initiated against the respondents.
7. The matter to come up again on 29.03.2023.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 13/03/2023.

**Date: 13.03.2023**

**(Naresh Sardana)**

**(R.K. Pachnanda)**

**Place: Panchkula**

**Member**

**Chairman**