

BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT PANCHKULA

Case No. HERC/Petition No. 68 of 2024

(Remand back Petition No. 9 of 2016)

Date of Hearing : 08.01.2025

Date of Interim Order : 13.01.2025

IN THE MATTER OF:

Judgement dated 03.09.2024 passed by Hon'ble APTEL in Appeal No. 208 of 2017 (Virender Rawal and ors. vs. HERC & HPPC) against the order of the Commission dated 19.09.2016 in Petition No. 9 of 2016.

And

In the matter of

Petition No. 9 of 2016 seeking approval of the Power Purchase Agreement filed with 13 Nos. Solar Power Developers for procurement of 165 MW power in pursuance to a Competitive Bidding Process.

Petitioner

Haryana Power Purchase Centre, Panchkula (HPPC)

Original Respondent

Nil

Respondents (Appellants in the appeal before Hon'ble APTEL)

1. Sh. Virender Rawal, VPO Kabri, Panipat, Haryana -132103
2. Sh. Karan Singh, VPO Pasina Kalan, Teh. Bhopali, Panipat, Haryana - 132108
3. Ms. Anita Singh, VPO Didwara, Teh. Safidon, District Jind, Haryana -126112
4. Ms. Geeta Rani, House no 1245, Sector 31, Gurgaon, Haryana - 122001
5. Sh. Deepak Goyal, 1/7468, Gali no 15, East Gorakh Park, Shahdara, Delhi - 110032
6. Sh. Jile Singh, House no 153, Hewo Apartment, Sector-15, Gurugram, Haryana - 122001

Present on behalf of the Petitioner (HPPC)

1. Ms. Simran Arora, Advocate
2. Shri Gaurav Gupta, Xen

Present on behalf of the Respondents

1. Ms. Aerika Singh, Advocate on behalf of petitioner nos. 1, 2 and 4 before APTEL.

Quorum

**Shri Nand Lal Sharma
Shri Mukesh Garg**

**Chairman
Member**

INTERIM ORDER

1. The case was heard on 08.01.2025, as scheduled, in the court room of the Commission.
2. At the outset, Ms. Aerika Singh, the learned counsel appearing on behalf of respondent nos. 1, 2 and 4, submitted that the reply has already been filed in respect of R-4. Ms. Singh vehemently argued that the issue regarding tariff, documentary evidence and incurring of expenditure on the project was duly considered and decided by Hon'ble APTEL while passing its order dated 03.09.2024. She further added that the land was

taken on lease by the R-4 and its use is stranded since 2016. Apart from land, the R-4 has spent huge amount on research, development, installation, hiring of consultants, visit to china etc. Ms. Singh admitted that funds are lying unutilized in bank account since 2016 and were not actually spent.

3. Ms. Simran Arora, the learned counsel appearing on behalf of HPPC, pleaded for grant of three weeks' time to file a rejoinder to the reply filed by the respondents.
4. Additionally, the Commission received a request from Shri Prateek Singh, authorized representative of respondent no. 3 (Mrs. Anita Singh), pleading for short adjournment on account of his personal difficulty. The Commission has taken on record the reply dated 19.12.2024, filed by R-3 in pursuant to the Commission's interim order dated 12.12.2024.
5. The Commission observes that no one has appeared on behalf of R-5 and R-6, in the last hearing as well as in the present hearing.
6. Upon hearing the parties, the Commission directs all other respondents to file an affidavit in compliance of the interim order dated 12.12.2024, within 1 weeks from the date of issue of this order, with copy to the petitioner. The respondent no. 5 and 6, are also allowed to file their reply within one week, as a matter of last opportunity, in case they still wants to pursue the matter. The petitioner is allowed to file its rejoinder within three weeks' thereafter, with copy to the respondents.
7. The case to come up for hearing on 20.02.2025.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 13.01.2025.

Date: 13.01.2025
Place: Panchkula

(Mukesh Garg)
Member

(Nand Lal Sharma)
Chairman