

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

**Case No. HERC/RA No. 5 of 2024 AND IA No. 6 of 2024**  
**Date of Hearing :** 09.07.2025  
**Date of Order :** 10.07.2025

**In the Matter of**

**Review Application under Section 94(1) (f) of the Electricity Act, 2003 read with Regulations 57 and 65 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 seeking review/recalling/modification of Order dated 14.05.2024 passed by this Hon'ble Commission in Case No. HERC/Petition no. 17 of 2024.**

**Petitioner**

Haryana Power Purchase Centre, Panchkula (HPPC)

**Respondent**

National Thermal Power Corporation Ltd. (NTPC)

**Present on behalf of the Petitioner**

1. Ms. Sonia Madan, Advocate
2. Mr. Lovepreet Singh, Advocate
3. Ms. Seema Sidana, Xen, HPPC

**Present on behalf of the Respondent**

Nil

**Quorum**

**Shri Nand Lal Sharma**  
**Shri Mukesh Garg**

**Chairman**  
**Member**

**ORDER**

**Brief Background of the case**

1. The present petition has been filed by Haryana Power Purchase Centre (HPPC), seeking the review /recalling/modification of Order dated 14.05.2024 passed by this Hon'ble Commission in Case No. HERC/Petition no. 17 of 2024 and to grant source approval and unconditional consent for procurement of 500 MW from Chutka Nuclear Power Project (2x700 MW) to be set up in the State of Madhya Pradesh and 900 MW from Mahi Banswara Nuclear Power Project (4x700 MW) to be set up in the State of Rajasthan by Anushakti Vidyut Nigam Limited (Ashvini), a joint venture of NPCIL and NTPC at the tariff to be notified by the Department of Atomic Energy, at the tariff to be notified by the Department of Atomic Energy (expected to be around Rs. 7.20 per kWh at Haryana periphery after considering PoC charges and transmission losses), with CoD expected to be achieved by the FY 2028-29.
2. **Review applicant's submissions:-**  
HPPC has submitted as under:-
  - 2.1 That HERC/Petition no.- 17 of 2024 was filed before this Hon'ble Commission praying for approval of source and for according unconditional consent for the procurement of 500 MW

power from Chutka Nuclear Power Project (2x700 MW) to be set up in the State of Madhya Pradesh and 900 MW from MahiBanswara Nuclear Power Project (4x700 MW) to be set up in the State of Rajasthan by Anushakti Vidyut Nigam Limited (ASHVINI), a joint venture of NPCIL and NTPC.

- 2.2 That the Hon'ble Commission vide Order dated 14.05.2024 rejected the approval of source largely on the ground that a lot of uncertainty exists in nuclear projects which leads to delay in commissioning and cost overrun leading to issues of viability of such projects.
- 2.3 That the Commission overlooked to examine the foreseeable demand supply position for the State of Haryana and the benefit of procuring nuclear power vis-à-vis the market dynamics. The State of Haryana foresees a deficit in power in the range of 942MW to 7120MW in the next 15 years, the complete overview of which vis-à-vis the advantages of procuring nuclear power could not be brought before the Hon'ble Commission in entirety. Such salient facts and analysis set out hereunder calls for review of the Order dated 14.05.2024.
- 2.4 That the India has the most ambitious nuclear deployment plans, with an eight-fold increase in nuclear capacity relative to current levels, in order to meet the national climate objective. Net zero Carbone mission targets are expected to be met through a combination of clear energy sources, including nuclear power, the government plans to increase India's present nuclear power capacity of 6,780 MW to 22,480 MW by 2031. Considering the increasing pattern of demand and future carbon free power supply requirement, Nuclear Power is going to be the backbone of Indian Grid supplying the baseload requirement. Further, it is a matter of fact that variable renewable energy sources such as wind and solar alone cannot meet the grid requirement fully without support of baseload low carbon technologies such as hydro and nuclear power. Nuclear power plants operate at much higher capacity factors than hydro sources.
- 2.5 That all the existing long term tied up thermal generating stations are being considered as available for the next ten years and Central Electricity Authority, vide memo no. CEA-TH-14-24/5/2022-TRM Division/235-335 dated 20.01.2023 has advised not to retire any thermal power plant till 2030. However, there are various power projects, including thermal plants, which may retire on completion of their life. A list of such projects is annexed and capacity (quantum of power) that will complete its useful life in every five years is tabulated below:-

Period	Quantum (in MW)
Upto 2030	3192
Upto 2035	2568.74
Upto 2040	5466.83
Upto 2045 and later	3640.01
<b>Total Tied-up/Installed Capacity</b>	<b>14868</b>

- 2.6 That further, considering the contracted sources, there is no capacity addition to the power portfolio of the State after FY 2029-30. A list of upcoming projects that bear the approval of

Hon'ble Commission is annexed. Thus, an addition of 1400MW nuclear power as and when available will contribute towards the capacity addition for Haryana.

- 2.7 That further Mahi Banswara Nuclear Power Project (4x700 MW) to be set up in the State of Rajasthan falls under northern region therefore, there will be least constraint in transmission corridor thereby making the power reliable.
- 2.8 That the Chutka and MahiBanswara Nuclear Power Projects are being set up to achieve the vision of the Government of India to produce and utilize clean energy. Nuclear Energy is one of the cleanest sources of energy. Nuclear power plants are very reliable and can operate for years without interruption producing affordable energy. Nuclear Power Plants are to become a significant part of India's energy infrastructure.
- 2.9 That in order to meet the growing demand for the State with clean energy and contribute towards the larger objectives to revamp Indian Energy Infrastructure with zero carbon emissions, it is incumbent upon the Petitioner to have capacity addition in its power portfolio from nuclear power plants.
- 2.10 That considering the foregoing, the nuclear power procurement from Chutka and MahiBanswara Nuclear Power Projects will help the Petitioner to combat the deficit and add clean energy to its portfolio at a feasible tariff. Also, there is no financial implication as on date to give consent to take this power.
- 2.11 That the following prayers have been made: -
- a) Review/ Recall Order dated 14.05.2024 and grant approval of source for the procurement of 500 MW power from Chutka Nuclear Power Project (2x700 MW) to be set up in the State of Madhya Pradesh and 900 MW from MahiBanswara Nuclear Power Project (4x700 MW) to be set up in the State of Rajasthan by Anushakti Vidyut Nigam Limited (ASHVINI), a joint venture of NPCIL and NTPC;
  - b) Allow HPPC to accord unconditional consent for procurement of 500 MW power from Chutka Nuclear Power Project (2x700 MW) and 900 MW from MahiBanswara Nuclear Power Project (4x700 MW); and/or
  - c) Pass any other order(s) and or direction(s), which the Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.

**3. Application for condonation of delay in filing the review petition (IA NO 6 of 2024).**

The Applicant has also filed an application (IA No. 6 of 2024), seeking to condone a delay of 68 days in filing the present review petition. (Review of the order dated 14.05.2024, was required to be filed within 45 days i.e. by 29.06.2024). HPPC has submitted as under:-

- 3.1 That the observations made in the order dated 14.05.2024 were deliberated and analysed with respect to foreseeable deficit in upcoming years, which entailed some procedural time.

The said details were put forth in the agenda of SCPP meeting, which was held on 19.07.2024. The minutes of SCPP minutes were however, issued on 02.07.2024. After analysing that the nuclear power procurement from Chutka and Mahi Banswara Nuclear Power Projects will help the Petitioner to combat the deficit and add clean energy to its portfolio at a feasible tariff, the SCPP decided to approach this Hon'ble Commission for review/ modification of order.

- 3.2 That the Applicant craves the indulgence of this Hon'ble Commission to condone a delay of 68 days in filing the accompanying review petition which has occurred due to inadvertent and bonafide reasons beyond the control of the Applicant.
- 3.3 That it has been consistently held by courts that the cause of substantial justice has to prevail upon the technicalities. The Hon'ble Apex Court in the case titled *Special Tehsildar, Land Acquisition, Kerala Vs. K.V. Ayisumma reported as 1996(10) SCC-634* has inter alia held that *"The Limitation Act made no distinction between the State and the Citizen. None the less, adoption of strict standard of proof leads to grave miscarriage of public justice. The approach of the Court should be pragmatic but not pedantic."*

#### **Proceedings in the Case**

4. The case was heard on 16.12.2024, 26.03.2025 and 09.07.2025, in the courtroom of the Commission, wherein the petitioner mainly reiterated the contents of its written submissions, which for the sake of brevity has not been reproduced here. During the hearing held on 16.12.2024, Ms. Sonia Madan, the learned counsel appearing for the petitioner, requested to defer the proceedings in the present matter, in order to enable her to address the observations of the Commission in the impugned order dated 14.05.2024 (HERC/Petition no.- 17 of 2024), as some other nuclear power projects are expecting commissioning in January/February, 2025 and their tentative tariff will also be known by that time. Similarly, during the hearing held on 26.03.2025, faced with the query from the Commission to justify the proposal taking into consideration of the uncertainty of commissioning, expected tariff and mandate to buy power from the proposed source, she requested for a short adjournment.

#### **Commission's Analysis and Order**

5. The Commission heard the arguments of the review petitioner at length as well as perused the contents of its petition seeking review /recalling/modification of the impugned Order dated 14.05.2024 passed in Case No. HERC/Petition no. 17 of 2024 and to grant source approval and unconditional consent for procurement of 500 MW from Chutka Nuclear Power Project (2x700 MW) to be set up in the State of Madhya Pradesh and 900 MW from Mahi Banswara Nuclear Power Project (4x700 MW) to be set up in the State of Rajasthan by Anushakti Vidyut

Nigam Limited (Ashvini), a joint venture of NPCIL and NTPC at the tariff to be notified by the Department of Atomic Energy, at the tariff to be notified by the Department of Atomic Energy (expected to be around Rs. 7.20 per kWh at Haryana periphery after considering PoC charges and transmission losses), with CoD expected to be achieved by the FY 2028-29.

6. The Commission has also examined the interlocutory application filed by HPPC (IA No. 6 of 2024), seeking to condone a delay of 68 days in filing the present review petition, against the impugned order dated 14.05.2024. The review petitioner has submitted that delay has occurred due to the time consumed in thoroughly analyzing the demand supply scenario vis-à-vis observations made in the order and also in the procedural aspect of approval, preparation and subsequent finalization of the present review petition, which is neither intentional nor deliberate. Such delay has taken place due to unavoidable and bonafide reasons.
7. The Commission has examined regulation clause 57 (1) of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019, reproduced hereunder:-

*“(1) All relevant provisions relating to review of the decisions, directions and orders as provided in the Code of Civil Procedure 1908, as amended from time to time, shall apply mutatis mutandi for review of the decisions, directions and order of the Commission.*

*Provided that the Commission may on the application of any party or person concerned, filed within a period of 45 days of the receipt of such decision, directions or order, review such decision, directions or orders and pass such appropriate orders as the Commission may deem fit.*

The Commission is of the considered view that the regulations have specified a period within which a review application can be filed with the objective of fixing a lifespan for legal remedy for the purpose of general welfare. An unlimited limitation would lead to a sense of insecurity and uncertainty, and therefore, limitation prevents disturbance or deprivation of what may have been acquired in equity and justice or what may have been lost by a party's own inaction, negligence or laches.
8. The Commission is not convinced with the reasons for delay cited by the petitioner viz. time taken in analyzing the demand supply scenario vis-à-vis observations made in the order and also in the procedural aspect of approval, preparation and subsequent finalization of the present review petition. The demand-supply scenario was projected and submitted by the petitioner in its original petition itself after thoroughly analyzing the same. The review petitioner was well conversant with the issues involved and the prescribed period of limitation.

Therefore, the reason of delay in this ground does not sustain. Further, so far as the procedural aspects leading to the delay are concerned, the review petitioner, despite its professed position of protecting consumers interest, continued with its lackadaisical approach and filed the present review petition with a delay of 68 days, thereby praying for condonation of delay. The Commission has taken a very serious view of the aforesaid casual approach and indifferent attitude of the review petitioner in handling time bound matters. However, considering the fact that substantial justice has to prevail upon the technicalities and purely in the interest of justice and fair regulatory determination, the delay of 68 days in filing the present review petition is condoned.

9. Having condoned the delay in filing the present review petition, the Commission has considered it appropriate to settle the issue of maintainability of the present review petition filed against the Commission's impugned order dated 14.05.2024 (Petition No. 17 of 2024), before deliberating on the merits of the case. The Commission has examined the judgement of Hon'ble Supreme Court in matter of Kamlesh Verma v. Mayawati and others [(2013) 8 SCC 320] which spells out the scope of a review petition i.e. it is much more restricted and in order to be maintainable, the conditions precedent laid down for the purpose under Order 47 Rule 1 of Code of Civil Procedure 1908 must be satisfied. The summary of principles set by the Apex court are reproduced hereunder: -

***“When the review will be maintainable:***

- (i) Discovery of new and important matter or evidence which, after the exercise of due diligence, was not within knowledge of the petitioner or could not be produced by him;*
- (ii) Mistake or error apparent on the face of the record;*
- (iii) Any other sufficient reason.*

***When the review will not be maintainable:***

- (i) A repetition of old and overruled argument is not enough to reopen concluded adjudications.*
- (ii) Minor mistakes of inconsequential import.*
- (iii) Review proceedings cannot be equated with the original hearing of the case.*
- (iv) Review is not maintainable unless the material error, manifest on the face of the order, undermines its soundness or results in miscarriage of justice.*
- (v) A review is by no means an appeal in disguise whereby an erroneous decision is reheard and corrected but lies only for patent error.*
- (vi) The mere possibility of two views on the subject cannot be a ground for review.*

- (vii) *The error apparent on the face of the record should not be an error which has to be fished out and searched.*
- (viii) *The appreciation of evidence on record is fully within the domain of the appellate court, it cannot be permitted to be advanced in the review petition.*
- (ix) *Review is not maintainable when the same relief sought at the time of arguing the main matter had been negatived.”*

Further, Hon'ble Supreme Court in case of Jain Studios Limited through its President vs. Shin Satellite Public Co. Ltd. [2006(3) RCR (Civil) 601], has held that *“the same relief cannot be sought by an indirect method by filing a review petition. Such petition, in my opinion, is in the nature of 'second innings' which is impermissible and unwarranted and cannot be granted.”*

The conditions precedent laid down for the purpose of entertaining review application under Order 47 Rule 1 of Code of Civil Procedure 1908 as well the ratio decided by the Hon'ble Supreme Court in its various judgements giving guidelines for exercise of the power of review, were analyzed in detail by Hon'ble APTEL in its judgement dated 17.04.2013 (Review Petition no. 12 of 2012 in Appeal No. 17 of 2012). The operative part of the ibid judgement is as under:-

“46 To sum Up

- (a) *This is not a case where there is an apparent error on the face of the record. The grounds urged by the learned counsel for the Review Petitioner would relate to the merits of the matter on the basis of the alleged erroneous conclusions. This would be the province of the court of appeal. If the decision by this Tribunal is not correct, then the same cannot be corrected by this Tribunal in this Review Petition.*
- (b) *The Review Petitioner has simply sought in the Review Petition for a fresh decision of the case on rehearing the entire matter. This is not permissible under the Review jurisdiction. The so called erroneous decision cannot be characterised as an apparent error on the face of the record. Without indicating even remotely any apparent error, the Review Petitioner cannot be allowed to re-agitate the entire matter on merits.*
- (c) *The Review Petitioner is unable to make a distinction between an Appeal and Review Petition. The issues raised by the Appellant/Review petitioner in this Review petition have already been dealt with and decided in our judgment. So, raising the same issues, which have already been decided, cannot be raised in the Review Petition as the same could be raised only in an Appeal since the scope of the Review Petition is very limited.*

.....

*“48. In this case also, as observed earlier, we are constrained to refer to the conduct of the Appellant which is highly reprehensible. As such, in this case also, we feel that some cost has to be imposed on the Review Petitioner.”*

10. In the present case, the petitioner has not pointed out any errors apparent on the face of record or discovery of new and important matter of evidence, as the grounds for entertaining the review application, which have been enshrined in the Order 47 Rule 1 of Code of Civil Procedure 1908. The review petitioner has primarily put forth its arguments to emphasize that the State of Haryana foresees a deficit in power in the range of 942MW to 7120MW in the next 15 years and Nuclear Power is going to be the backbone of Indian Grid supplying the baseload requirement without any constraint in transmission corridor apart from being one of the cleanest sources of energy.
11. The Commission has perused the impugned order dated 14.05.2024 (Petition No. 17 of 2024), which was passed in exercise of the powers “to regulate” bestowed by Section 86 (1) (b) of the Electricity Act, 2003. The Commission has decided as under:-

*“5. During the hearing, the petitioner submitted that the tariff is only indicative and the final tariff will be notified by Department of Atomic Energy (DAE). The Commission was further informed that taking into consideration of the past trends of such large-scale projects, the actual CoD is likely to be delayed. Upon the emphasis of the petitioner that the present power is required in order to increase the share of nuclear power in its bucket, the Commission enquired from the petitioner about the mandate, if any, given by the Government to buy a certain percentage of power from Nuclear. However, it was informed that no such mandate has been given. Thus, there is no obligation on the Haryana Discoms to enter into PPA with such Nuclear power plants with high tariff. Whereas, the Haryana Discoms are obligated to procure 1400 MW power out of upcoming 2800 MW from Gorakhpur Nuclear Power Plant in District Fatehabad, Haryana. The project was expected to be completed by 2025. However, the deadline has now extended to 2032. Regarding the averments of the petitioner that Nuclear Energy is one of the cleanest/reliable and affordable sources of energy, the Commission observes that HPPC has filed another petition regarding procurement of 800 MW renewable power with energy storage system from SJVNL @ Rs. 4.52/unit (including trading margin), for approval of the Commission, which prima-facie appears to be more affordable. HPPC has itself submitted that the renewable power offered by SJVN shall be at a minimum CUF of 70% which is equivalent to PLF of a thermal power plant. Further, the SJVN shall be obligated to supply the Contracted Capacity with the Firm and Dispatchable RE power configuration, keeping at least 90% availability during Peak Hours (04 hours – 2 hours in*



morning and 2 hours in evening) on monthly basis. The project is expected to come up within 3 years. The Commission is of the considered view that with the proliferation of better energy storage techniques, more such offers are likely to come up at cheaper rates, which will enable Haryana Discoms to supply affordable electricity to its consumers. The Commission has also taken note of the fact that the Discoms are already burdened with deferred 'Fuel and Power Purchase Adjustment Surcharge' amounting to Rs. 7672 crore as on 31.03.2023. The higher power purchase cost will increase this bucket of 'deferred Fuel and Power Purchase Adjustment Surcharge' to a level which will be difficult to realize from the consumers without giving them a tariff shock. The Discoms should endeavor to reduce the 'peak load' by taking appropriate demand side management measures.

6. The Commission is of the considered view that due to the present global scenario and supply chain disruption imported coal based power plant like CGPL (Mundra) may be facing some difficulty due to exorbitant high price of imported coal. However, given the initiative and the directive issued by the Central Government under Section 11 of the Electricity Act, 2003, power from this source is likely to be available. Further, the tariff in power exchange (s) is also expected to come down in long term with the proliferation of cheaper sources of power and downward pressure on the cost of imported coal.

7. The petitioner has also averred that the average deficit will range from 500 MW in 2027-28 to 6000 MW in the FY 2037-38. The Commission has considered the submissions and agrees with the petitioner that given the long gestation period in setting-up a power plant, the Discoms ought to plan ahead. However, the power sector is undergoing a structural shift with various rules notified by the Ministry of Power, GOI, including Green Open Access, mandatory setting-up of 40% of solar power corresponding to the setting-up of any new thermal capacity, solarization of AP feeders, saving in energy consumption by energy efficient equipment, likely shift in demand of C&I consumers away from the Grid to RE Captive and Open Access mechanism etc.

8. The Commission observe that a lot of uncertainty exists in nuclear projects which leads to delay in commissioning and cost overrun leading to the issues of viability of such projects. In order to address such issues, it is directed that the EoI may be invited for base load from Thermal/Hydro/Hydro with Pumped Storage/Renewable Energy with Storage power plants already commissioned or in an advanced stage of commissioning, to rein in the average power purchase cost for supplying affordable power to the consumers of the State.

9. Consequently, this Commission, while exercising its powers vested with it under Section 86 (1) (b) of the Electricity Act, 2003 i.e. to regulate electricity purchase and procurement process of distribution licensee including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreement for purchase

*of power for distribution and supply within the State, decides that the proposal under consideration is failing to find favour in all the fronts viz. providing affordable power, certainty on CoD of the project and compulsion to procure such power. In such a scenario, it would not be appropriate to grant unconditional consent to procure power. Accordingly, the present petition is disallowed.”*

It is evident from the above that the Commission was aware of the deficit power supply position projected by HPPC in next 15 years and other grounds for review cited by the review petitioner.

Therefore, neither there appears to be any error apparent on the face of the record nor discovery of any new/material fact which was not considered while passing the impugned judgement.

12. The Commission, vide its order dated 14.05.2024, had directed the Discoms that given the long gestation period in setting-up a nuclear power plant, the Discoms ought to prepare their power procurement plan, taking into consideration in the undergoing structural shift in the power sector with various rules notified by the Ministry of Power, GOI, including Green Open Access, mandatory setting-up of 40% of solar power corresponding to the setting-up of any new thermal capacity, solarization of AP feeders, saving in energy consumption by energy efficient equipment, likely shift in demand of C&I consumers away from the Grid to RE Captive and Open Access mechanism etc. Further, the proposed power is expected to cost around Rs. 7.20 per kWh at Haryana periphery after considering PoC charges and transmission losses. Therefore, the same fails to fulfil the mandate of providing affordable power to the electricity consumers. Thus, the tentative cost at around Rs. 7.20/kWh including the uncertainty attached with the commissioning of the proposed power projects, fails to muster the Commission's prudence check exercised in discharge of its function prescribed under Section 86 (1)(b) of the Electricity Act, 2003 i.e. 'regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licenses or from other sources through agreements for purchase of power for distribution and supply within the State;'.
13. The bounden duty cast on the State Commissions has been further fortified by the recent judgement of Hon'ble Supreme Court dated 08.01.2024 in case no. CIVIL APPEAL NO.6503 OF 2022 in the matter of Jaipur Vidyut Vitran Nigam Ltd. & Ors. vs. MB Power (Madhya Pradesh) Limited & Ors., wherein the powers of the Commission under Section 86 (1) (b) of the Electricity Act, 2003 was upheld. Hon'ble APEX court, in consonance with its judgement

dated 11.04.2017 in the matter of “Energy Watchdog v. Central Electricity Regulatory Commission and others” (2017) 14 SCC 80=2017 INSC 338), has held as under:-

*“78. We are, therefore, of the considered view that the learned APTEL has grossly erred in holding that the State Commission has no power to go into the question, as to whether the prices quoted are market aligned or not and also not to take into consideration the aspect of consumers’ interest.”*

*“83. We further find that it cannot be read from the orders of this Court that the State Commission was bound to accept the bids as quoted by the bidders till the bucket was filled. Firstly, no such direction can be issued by this Court de hors the provisions of Section 63 and 86(1)(b) of the Electricity Act and the Bidding 64 Guidelines. In any event, vide order dated 19th November 2018, this Court had specifically directed the State Commission to decide the tariff under Section 63 of the Electricity Act having regard to the law laid down both statutorily and by this Court. As such, the State Commission was bound to take into consideration the Bidding Guidelines and specifically clause 5.15 thereof.”*

*“105. In any case, the High Court, by the impugned judgment and order, could not have issued a mandamus to the instrumentalities of the State to enter into a contract, which was totally harmful to the public interest. Inasmuch as, if the power/electricity is to be procured by the procurers at the rates quoted by the respondent No.1-MB Power, which is even higher than the rates quoted by the SKS Power (L-5 bidder), then the State would have been required to bear financial burden in thousands of crore rupees, which would have, in turn, passed on to the consumers. As such, we are of the considered view that the mandamus issued by the Court is issued by failing to take into consideration the larger consumers’ interest and the consequential public interest. We are, therefore, of the view that the impugned judgment and order passed by the High Court is not sustainable in law and deserves to be quashed and set aside.”*

14. The Commission observes that in spite of seeking two adjournments, the petitioner has failed to justify the proposal taking into consideration of the uncertainty of commissioning, expected tariff and mandate to buy power from the proposed source.
15. The Regulations/Statutes and Case Laws encompass the scope of Review Jurisdiction in very narrow confines. Hence, it is not open for the petitioner to re-agitate the issues without identifying errors apparent or bringing to the table new facts and figures that were not available at the time of passing of the impugned order. A manifest illegality must be shown to exist or a

patent error must be shown in an order to review a judgement. No such grounds or patent error have been shown by the review petitioner. The bar against re-consideration of its own decision is a settled principle in adjudicatory jurisprudence. Once a case has been finally heard and adjudicated upon by the authority concerned, the resultant adjudication can be re-opened for consideration only in appellate jurisdiction.

16. In terms of the above discussions, the present petition seeking review of the Commission's order dated 14.05.2024, is dismissed after testing it on the anvil of the scope of review jurisdiction of this Commission.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 10.07.2025.

Date: 10.07.2025  
Place: Panchkula

(Mukesh Garg)  
Member

(Nand Lal Sharma)  
Chairman