

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

**Case No. HERC/P. No. 12 of 2025**

**Date of Hearing : 23/07/2025**

**Date of Order : 25/07/2025**

**IN THE MATTER OF:**

**Complaint under Section 142, 146 and 149 of Electricity Act, 2003 for violating the order dated 29/11/2023 passed in DH/CGRF/4599/2023 by the Hon'ble Consumer Grievances Redressal Forum, DHBVN and for violating the various circular and regulation passed by this Hon'ble Commission.**

**Petitioner**

Pioneer Urban Land Infrastructure Ltd. Through Sh. Rakesh Bohra,  
Pioneer square, Golf Course Extension Road, Sector 62, Gurugram

**VERSUS**

**Respondents:**

1. Dakshin Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, Vidyut Nagar, Hisar
2. S.D.O., S/Division Sector 56, DHBVN, Gurugram

**Present**

**On behalf of the Petitioner**

Sh. B. P. Agarwal, Advocate

**On behalf of the Respondent**

1. Sh. Raheel Kohli, Advocate
2. Sh. Pulkit Goyal, SDO, DHBVN

**QUORUM**

**Shri Nand Lal Sharma, Chairman**

**Shri Mukesh Garg, Member**

## **ORDER**

### **Background:**

1. Pioneer Urban Land Infrastructure Ltd. (hereinafter referred to as "the Petitioner") filed a complaint against Dakshin Haryana Bijli Vitran Nigam (hereinafter referred to as "the Respondents") due to the Respondents' failure to comply with an order dated November 29, 2023, issued by the Consumer Grievance Redressal Forum (CGRF), Hisar, Haryana, in case DH/CGRF/4599/2023.
2. The Petitioner obtained an electricity connection with Account No. 2807149661, having a sanctioned load of 450 KW under the HT-NDS category, in the name of Pioneer Urban Land Infrastructure. A security deposit of Rs. 18,00,000/- (Rupees Eighteen Lakh Only) was paid by the Petitioner.
3. The Respondents failed to pay interest on the security deposit of Rs. 18,00,000/- from 2015, despite Section 47(4) of the Electricity Act, 2003, requiring them to pay interest equivalent to the bank rate or more, as specified by the concerned State Commission.
4. As per Directive under clause 5.8.1 & 5.8.2 of Regulation No. 34/2016 (Haryana Electricity Regulatory Commission Regulations, 2016) and Sales Instruction 9/2016, the Respondents were required to pay interest in April of each year. If not adjusted in the consumer's bill for the first billing cycle of the ensuing financial year, the Respondents were liable to pay interest at 18% for the delayed period. The Respondents failed to make this payment.
5. In March 2023, the Petitioner surrendered the electricity connection as it was no longer required. The Petitioner then requested the refund of the security deposit along with accrued interest, but no action was taken by the Respondents.
6. The Petitioner was compelled to file a complaint before the Consumer Grievances Redressal Forum (CGRF), Gurugram, vide Complaint No. DH/CGRF/4599/2023.
7. After hearing both parties, the CGRF decided the complaint via an order dated November 29, 2023. This order directed the Respondents to refund the Additional Consumption Deposit (ACD) amount along with interest as per the Nigam's instructions. However, the Respondents failed to comply with this order within 21 days of its date.
8. The Complainant prayed for the following:
  - Initiation of an inquiry against the Respondents for violating the order dated November 29, 2023, passed by the CGRF, Hisar (DH/CGRF/4599/2023), and various regulations regarding the refund of security deposit and payment of interest on ACD/Security. Strict action was sought against guilty officers under Sections 142, 146, and 149 of the Electricity Act, 2003.
  - Direction to the Respondents to pay penal interest on the ACD amount of Rs. 18,00,000/- from the due date, as per clause 5.8.1 & 5.8.2 of Regulation No. 34/2016 and Sales Instruction 9/2016.
  - Award of compensation and costs of the present proceedings, including Rs. 50,000/- paid as court fees, in favor of the Complainant.

- Any other or further order deemed fit and proper by the Hon'ble Commission in the interest of justice.
9. Dakshin Haryana Bijli Vitran Limited (DHBVN), the Answering Respondent, submitted that pursuant to the CGRF's direction, the process of verifying the ACD amount was initiated. During this process, it was discovered that:
- Inadvertently, INR 15,51,747 (towards MDI Penalty for October 2021, April 2022, May 2022, June 2022, July 2022, December 2022, and January 2023) was not charged from the Petitioner. A demand notice dated August 28, 2024, was issued for this amount, which has not been deposited.
  - The following amounts were also inadvertently not charged to the Petitioner:
    - M Tax: INR 49,495
    - FSA: INR 19,781
    - Fixed charges (not charged in terms of Sales Circular D-12/2021): INR 18,25,327
    - SOP: INR 4,23,932
  - After adjusting these amounts, an amount of INR 20,72,704.90 was stated to be recoverable from the Petitioner, and a request was made to dismiss the current petition.
10. The Petitioner submitted the following in rejoinder:
- The CGRF order was passed on November 29, 2023, with the Respondents' consent. The order was served on both parties on December 4, 2023. As per the Haryana Electricity Regulatory Commission (Forum and Ombudsman) (1st Amendment) Regulations, 2022, the Respondents were required to comply with the order within 21 days of receiving it (i.e., by December 26, 2023), but they failed to do so and are therefore liable for non-compliance.
  - The Respondents' claims regarding less charging of amounts mentioned in Memo No. 969 dated August 28, 2024, are not the subject matter of this complaint. Furthermore, if the MDI penalty was detected in 2022, as alleged in the memo, it is barred by limitation as per Section 56(2) of the Electricity Act, 2003, which sets a two-year limitation period from the date of knowledge. The Respondents did not provide month-wise details of the MDI penalty. Similarly, the M. Tax demand of Rs. 3,06,370/-, noticed by the Audit department on June 15, 2022, is also time-barred under Section 56(2) as no action was taken before the Complainant approached the Commission.
  - The Petitioner questioned the Audit team's actions regarding uncharged fixed charges and the SDO's demand notice, alleging that these pleas were raised by the Respondents to avoid penalty. The Petitioner argued that the Respondents should have complied with the CGRF order and issued a detailed show-cause notice regarding alleged penalties. Instead, the Respondents were trying to create confusion by claiming recovery of Rs. 20,72,704/- without proper details or adjusting the security deposit with penal interest.
  - The Petitioner denied that Rs. 20,72,704.90 is recoverable after adjustments, stating that the Respondents did not address the

security deposit of Rs. 18,00,000/- and the penal interest payable as per the CGRF direction.

11. The case was heard on May 28, 2025. Sh. Raheel Kohli, counsel for the respondent requested to grant time for a reconciliation meeting with the petitioner. Sh. B.P. Agarwal counsel for the petitioner expressed his consensus for the same. The Commission, to facilitate an amicable resolution between the parties, decides to grant one opportunity for settlement. The Commission, therefore, adjourns the matter and allows the parties to hold a reconciliation meeting and directs the respondent to submit report before next date of hearing.

**Commission's Order:**

12. The case was heard on 23/07/2025, as scheduled, in the court room of the Commission.
13. At the outset, the counsel for the petitioner submitted that the dispute between parties has been resolved in the reconciliation meeting and all claims between the parties till date have been settled. Since the connection was already been surrendered, there will not be any future claims from either party concerning the aforesaid connection. The Petitioner prayed for the closure of the complaint, being settled between the parties.
14. The counsel for the respondent agreed with the submissions of petitioner.
15. The Commission in cognizance to the intimation of settlement conveyed by the parties observes that nothing remains to be adjudicated in the present petition and the same is disposed of as infructuous.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 25/07/2025.

**Date: 25/07/2025**  
**Place: Panchkula**

**(Mukesh Garg)**  
**Member**

**(Nand Lal Sharma)**  
**Chairman**