

Item No.S-4 **Himachal Pradesh State Electricity Board Limited vs. M/s Kundlas Loh Udyog**

CMP No.19984 of 2026 in LPA No.328 of 2025
CMP No.19985 of 2026 in LPA No.327 of 2025
CMP No.19988 of 2026 in LPA No.657 of 2025

08.09.2026 Present: Mr. P. Chitambaram, Senior Advocate with Mr. Ameil Nair, Advocate, through video conferencing and Mr. Shivom Vashista, Advocate, for the appellants/non-applicants, in LPA Nos.327, 328, and 657 of 2025.

Mr. R.L. Sood and Mr. Peeyush Verma, Senior Advocates with Mr. Manik Sethi, Advocate, for the respondents/applicants in CMP No.19984 of 2026 in LPA No.328 of 2025, CMP No. 19985 of 2026 in LPA No.327 of 2025 and CMP No.19988 of 2026 in LPA No.657 of 2025.

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In the present applications, review of order dated 23.06.2026 has been sought by the respondent(s)-consumer(s), primarily on the ground that liberty was granted by the Hon'ble Apex Court, when an Special Leave Petition was filed and disposed of on 27.07.2026, with liberty to file a review before this Court on account of the fact that certain aspects were not brought to the notice of this Court and did not find mention in the order sought to be reviewed.

2. We are of the considered opinion that the order dated 23.06.2026, of which review is sought, is merely an order of admission of the appeal. The contentions of both sides were recorded to arrive at a considered opinion that the matter would require consideration and detailed deliberation on the aspect, as to whether the prepaid meters could be installed for heavy industrial consumers, was subject matter of consideration. It was in such circumstances, the order had been passed, wherein it was

further directed that no recovery would be effected of the benefits already granted. It is not disputed that rebate would have been granted, as such, in case the benefits of prepaid meters were extended, since the Board would have received the amount in advance.

3. It has also not been mentioned in the review applications at any place that the benefits already granted have been withdrawn, which was in alleged violation of the statement made by learned counsel for the Board at the admission stage, which is being objected to, on account of the fact that a communication has been addressed to deposit the security amount.

4. Apparently, prior to the order passed by the learned Single Judge, there was already a security deposit lying in favour of the Board, as is clear from the communication dated 02.06.2025 (Annexure R-1), appended along-with review application No.19988 of 2026, in LPA No.657 of 2025, addressed by the Himachal Pradesh State Electricity Board Limited to the consumer-M/s Prime Steels, informing that the security lying with the Board in the form of bank guarantee can be taken back from the office of the A.E., HPSEBL, Barotiwala. On account of the interim stay having been granted, the system has to revert back where a security deposit has to be maintained to ensure that the dues of the consumers, as such, are secured by the said security deposit, in case the industrial establishment closes down.

5. In such circumstances, the demand so raised cannot be construed as a coercive step or a step effecting recovery of

benefits already granted, as is sought to be contended by learned Senior Counsel for the review applicant.

6. In such circumstances, keeping in view the fact that it was only an admission order and the matter is sought to be re-argued on merits, we are not in a position to decide these issues, at this stage, when the matter already stands admitted for regular hearing.

7. The argument raised that the security deposit is not to be given, is not the subject matter of the present review applications and, therefore, cannot be taken into consideration since we are only dealing with an admission order, as mentioned above.

8. It is a well-settled proposition of law that a review application is maintainable only if there is an error apparent on the face of the record. In such cases, the order of admission is not an order, which is, as such, adjudicating upon the rights of any of the parties. It is only a preliminary summarisation of the issues, which are subject matter of consideration and, therefore, we are of the considered opinion that there is no occasion to review the order.

Resultantly, the applications are dismissed.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

September 08, 2026 (KS)