



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

134

CWP-9245-2026

Date of Decision: 27.03.2026

DAKSHIN HARYANA BIJALI VITRAN NIGAM LIMITED AND
ANR. ...Petitioners

Vs.

CORPORATE FORUM FOR REDRESSAL OF CONSUMER
GRIEVANCES & ORS. ...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Arshad Ali, Advocate for
Mr. Sharad Aggarwal, Advocate
for the petitioners

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 24.05.2024 passed by Consumer Grievance Redressal Forum (for short 'Redressal Forum') and order dated 12.11.2025 passed by Haryana Electricity Regulatory Commission (for short 'HERC') whereby Authorities have held that consumer-respondent No.3 is liable to pay charges for extra load as per Clause 9.3.2 of HERC Regulations instead of Clause 9.3.5 of the said Regulations.

2. The petitioner is a State Government Undertaking. It is engaged in the business of power distribution and retail supply. Respondent No.3-M/s Sapphire Land Craft filed a complaint before Redressal Forum alleging that licensee has levied penalty under Clause 9.3.5 whereas it should be under Clause 9.3.2. The Redressal Forum vide

impugned order dated 24.05.2024 held that consumer is liable to pay penalty as per Clause 9.3.2 and licensee has wrongly raised demand under Clause 9.3.5. The petitioner-licensee was directed to re-calculate charges. The petitioner did not comply with aforesaid order of Redressal Forum and respondent No.3 preferred a complaint before HERC which vide impugned order dated 12.11.2025 disposed of the same on the ground that licensee has complied with directions of Redressal Forum. The petitioner has granted refund as per orders of Redressal Forum.

3. Learned counsel for the petitioners submits that impugned order is contrary to Note 14 of memo dated 17.05.2022 issued by Chief Engineer/Commercial DHBVN Hisar.

4. From the perusal of record, it is evident that petition deserves to be dismissed on the ground that petitioner did not assail impugned order at the first instance. The respondent filed petition before higher forum i.e. HERC seeking implementation of order passed by Redressal Forum. The petitioner complied with order passed by Redressal Forum and after complying with impugned order has approached this Court. It shows that petitioner was not aggrieved from order dated 24.05.2024 and after complying with said order has approached this Court.

5. Perusal of impugned order further reveals that there is no infirmity in the said order. Regulation 9.3.2 clearly provides for charges for misuse of sanctioned load. Regulation 9.3.5 also provides for misuse of sanctioned load. Regulation 9.3.5 has specific application to HT industrial and steel furnace power supply. The respondent was not HT Industrial and steel furnace consumer, thus, there was no occasion to

apply regulation 9.3.5. Regulation 9.3.2 is applicable to non-domestic supply connections and respondent was having non-domestic supply connection. The petitioner is relying upon Note 14 of memo dated 17.05.2022 whereby schedule of tariff has been prescribed. The said note does not come to the rescue of the petitioner. The aforesaid Regulations are quite clear, thus, there is no reason to rely upon Note 14 of memo dated 17.05.2022.

- 6. Dismissed.
- 7. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

March 27, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No