

**HARYANA ELECTRICITY REGULATORY COMMISSION
SCO 180, SECTOR 5, PANCHKULA - 134 109, HARYANA**

CASE NO. HERC/PRO – 5 OF 2002

Date of Hearing: 31.08.2004

Date of Order: 18.10.2004

In the matter of petition filed by M/s R.D. Extrusion Pvt. Ltd., 7 K.M. Stone, Chhachrauli Road, Jagadhri in respect of non supply of electric power as per power regulatory measures (PRM) applicable to industries – deficiency in service, non-observance of Complaint Handling Procedure against Uttar Haryana Bijli Vitran Nigam Limited (UHBVNL); a subsidiary of Haryana Vidyut Prasaran Nigam Limited (HVPNL) — the Licensee for Distribution & Retail Supply Business of electricity in Haryana

Present: -

1. Lt. Col. (Retd.) Raghbir Singh, Chairman, HERC
2. Sh. S.C. Katyal, Member, HERC,
3. Sh. T.R. Dhaka, Member, HERC

On behalf of the Petitioner: -

None

On behalf of the Respondents: -

1. Sh. S.K. Dewan, Director 'Op', UHBVNL, Panchkula
2. Sh. V.K. Goel, SE/RAU & Tariff, HVPNL, Panchkula

ORDER

M/s R.D. Extrusion Pvt. Ltd., 7 K.M. Stone, Chhachrauli Road, Jagadhri, has filed this petition. Neither the petitioner nor his authorized representative made it to the hearing. The Commission decided to proceed ex parte.

During the course of hearing the respondents submitted that the subject matter of the petition is already pending in the Hon'ble Supreme Court of India in Civil Appeal No. 2186/2001 & SPL No. 4760/2002. On being pointed out (by the Commission) that their filing dated 30.08.2004 did not state the above position. The respondents acknowledged the inadequacy of their filing & apologized. Thereafter, the Commission ordered the respondents to file an affidavit in support of their oral submission. The respondents complied by their filing dated 08.09.2004.

Commission's view & Order

The respondents's filing dated 08.09.2004 established that the matter was sub-judice.

In view of it, the petition is hereby rejected. While rejecting the petition, the Commission asked the Secretary to take up the matter with the petitioner for wrong filing of affidavit before it.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 18.10.2004

Dated: 18.10.2004

Place: Panchkula

T. R. Dhaka
Member

S. C. Katyal
Member

Lt. Col. (Retd.) Raghbir Singh
Chairman