

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

CASE NO: HERC / PRO- 43 of 2020

DATE OF HEARING : 13.10.2020

DATE OF ORDER : 13.10.2020

IN THE MATTER OF:

Petition seeking implementation of order passed by Hon'ble State Commission dated 09.12.2019 in Petition No. HERC /PRO-56 of 2019 filed by Dakshin Haryana Bijli Vitran Nigam read with S. 142 & 146 of Electricity Act, 2003 and Haryana Electricity Regulatory Commission (Terms and conditions for grant of connectivity and open access for intra-State Transmission and Distribution System) Regulations, 2012 (as amended from time to time) and other enabling provisions under the EA-2003 and Rules/Regulations framed thereunder.

Petitioner

M/s. Jindal Stainless (Hisar) Limited

Respondents

1. Dakshin Haryana Bijli Vitran Nigam Limited (DHBVNL), Hisar
2. Haryana Vidyut Prasaran Nigam Ltd (HVPNL), Panchkula

Present on behalf of the Review Petitioner through Video Conferencing

Shri R.K. Jain, Advisor

Present on behalf of the Respondents through Video Conferencing

1. Shri Samir Malik, Advocate

Quorum

**Shri Pravindra Singh Chauhan,
Shri Naresh Sardana,**

**Member (In Chair)
Member**

ORDER

1. The case was called for hearing today, through virtual court (Video Conferencing), as scheduled.
2. Sh. R.K. Jain appearing on behalf of the petitioner sought implementation of the order dated 09.12.2019 passed by this Commission in case no. HERC/PRO-56 of 2019. He

further submitted for issuance of necessary directions to the respondent/Nigam for giving adjustment of UI charges in the electricity bills for arrears accumulated from October 2013 to November 2016. Incidentally, Review Application No. HERC/RA-4 of 2020 in HERC/PRO-43 of 2019 was also listed for hearing on the same date, wherein the Commission had already passed an order on 24.02.2020. The prayer made in PRO 43 of 2019 was also regarding adjustment of UI charges for the period from October 2013 to November 2016.

3. Counsel for the respondent Sh. Samir Malik submitted that the present petition is nothing but abuse of the process of law, since the issue has already been decided in case no. HERC/PRO-43 of 2019 and thus the petition is barred by the principle of res-judicata, therefore, he prayed for dismissal of the present petition with heavy costs.
4. On the asking of the Commission as to whether the petitioner intends to pursue the present petition, Sh. R.K. Jain, counsel for the petitioner sought permission of the Commission for withdrawal of the petition.
5. After thoughtful considerations, the Commission allows the request of the petitioner and the present petition is hereby dismissed as withdrawn.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 13.10.2020.

Date: 13.10.2020 (Naresh Sardana)
Place: Panchkula Member

(Pravindra Singh Chauhan)
Member