

COURT-2

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)

APL No. 82 OF 2017 & IA No. 1372 OF 2025

**Dated: 6th October, 2025**

Present : Hon`ble Ms. Seema Gupta, Technical Member (Electricity)  
Hon`ble Mr. Virender Bhat, Judicial Member

In the matter of:

Faridabad Industries Association	....	Appellant(s)
Versus		
Haryana Electricity Regulatory Commission & Ors.	....	Respondent(s)

Counsel on record for the Appellant(s) : Vishal Sharma  
for App. 1

Counsel on record for the Respondent(s) : Justine George  
for Res. 1

Samir Malik  
Nikita Choukse  
Tushar Mathur  
Himani Yadav  
for Res. 2

Samir Malik  
Nikita Choukse  
Tushar Mathur  
Himani Yadav  
for Res. 3

**ORDER**

IA NO.1372 OF 2025  
(For Clarification) (R-2)

By way of this application, the applicant/2<sup>nd</sup> respondent is seeking clarification in respect of the judgment dated 12.08.2025 passed by this Tribunal in Appeal No.82/2017.

Heard the learned counsels.

It is pointed out by learned counsel for the applicant that during oral arguments, the appellant had restricted its case only to the determination of voltage-wise and consumer-category-wise cross-subsidy surcharge. However, in the operative portion of the judgment the words “and additional surcharge” have been added after the words “cross-subsidy surcharge” which appear to be superfluous as no prayer with regards to additional surcharge was made by the appellant during the course of oral submissions as well as in the written submissions.

In view of these submissions of the learned counsel for the applicant and considering the entire case set up by the appellant during the course of the arguments before this Tribunal, we find that the words “and additional surcharge” have been added in the operative portion of the judgment only due to an inadvertent typographical mistake, which needs to be clarified/rectified.

Accordingly, the application is allowed. The operative portion of the judgment dated 12.08.2025 shall now read as under: -

### **“ORDER**

For the foregoing reasons as stated above, we are of the considered view that the Appeal No.82 of 2017 has merit and is allowed on the aforesaid terms.

The Impugned Order dated 01.08.2016 passed by the Haryana Electricity Regulatory Commission is hereby set aside to the extent

indicated above. The matter is remanded back to the Haryana Electricity Regulatory Commission with a direction to undertake a fresh adjudication after obtaining and analyzing complete, category-wise and voltage-wise data on cost of supply and AT&C losses from the distribution licensees and to pass a speaking order with proper rationale and justification for fixing the cross-subsidy surcharge, that reflects a fair, transparent and data-driven approach, expeditiously but in no way later than 2 years from the date of this judgment.

The Captioned Appeal and pending IAs, if any, are disposed of in the above terms.”

This order shall be appended to the judgment dated 12.08.2025.

Virender Bhat  
Judicial Member

Seema Gupta  
Technical Member (Electricity)

Tp/js