

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)**

**APPEAL NO. 297 of 2021**

Dated: **20.10.2022**

Present: **Hon'ble Mr. Justice R.K. Gauba, Officiating Chairperson  
Hon'ble Mr. Sandesh Kumar Sharma, Technical Member**

**In the matter of:**

- 1. ANANDVILAS 81 RESIDENT WELFARE ASSOCIATION  
(Registered)  
Sector 81, Faridabad, Haryana 121002**
  
- 2. PURI CONSTRUCTIONS PVT.LTD.,  
4-7b, Ground Floor,  
Tolstoy House 15 & 17,  
Tolstoy Marg, New Delhi-110001. ... Appellant(s)**

***Versus***

- 1. HARYANA ELECTRICITY REGULATORY COMMISSION  
Through its Secretary,  
Bays 33-36, Sector 4,  
Panchkula-134112, Haryana**
  
- 2. DAKSHIN HARYANA BIJLI VITRAN NIGAM LIMITED  
Through its Managing Director,  
Vidyut Sadan, Vidyut Nagar  
Hisar-125005, Haryana**
  
- 3. M/S COUNTRYWIDE PROMOTERS PRIVATE LIMITED,  
*Through its Authorised Representative,*  
QT-14, 3<sup>rd</sup> Floor, Next Door Parklands,  
Sector 76, Faridabad-121004, Haryana ... Respondent(s)**

Counsel for the Appellant (s) : Mr. Samiron Borkataky  
Ms. Kritika Angirish  
Ms.Smriti (AR)

Counsel for the Respondent (s) : Mr. Nitish K. Sharma for R-3

Mr. Samir Malik  
Mr. Nikita Chowkse  
Mr. TanishqSirohi for DHBVN

## **J U D G M E N T (Oral)**

**PER HON'BLE MR. JUSTICE R.K. GAUBA, OFFICIATING CHAIRPERSON**

1. The first appellant is a group housing society, it having been developed by second appellant, the first appellant being the Resident's Association. It had come up by the appeal at hand assailing the order dated 09.08.2021 of respondent – *Haryana Electricity Regulatory Commission* in Case No. HERC/PRO-48 of 2020 wherein the grievances agitated pertain to the alleged failure on the part of second respondent – *Dakshin Haryana Bijli Vitran Nigam Limited* (the distribution licensee) in sanctioning and releasing of electricity connection on single point basis for a load of 3607 KW of 5010 MVA. It is stated that during the pendency of the proceedings before the State Commission itself, the distribution licensee, by its communication dated 24.11.2020, had accorded necessary sanction releasing the connection in respect of the group housing colony of the appellant expressly stating that such sanction was in the name of the developer (M/s Countrywide Promoters Private Limited) along with the second appellant (M/s Puri Constructions Pvt. Ltd.). It is further stated that in the wake of the said sanction, the second appellant also took requisite steps including by furnishing bank guarantee in the sum of Rs. 1.55 crores, holding out assurance for due compliances with the other conditions including additional bank guarantee of Rs.2.895 crores and mortgage of the land in favour of the licensee.

2. The learned counsel for the appellants submits that the only grievance which survives is the non-grant of requisite load, the connection having been presently released with a load of 1300 KW as an interim measure followed by 4030.53 KW as ultimate load. Learned counsel for the appellants having taken instructions, submits that he may be permitted to withdraw the present appeal praying for liberty to be granted for the matter of appropriate load to be sanctioned to be pursued with the concerned authorities in accordance with law.

3. The appeal is disposed of accordingly with liberty as prayed granted.

**Pronounced in open court on this 20<sup>th</sup> Day of October, 2022**

**(Sandesh Kumar Sharma)**  
Technical Member

**(Justice R.K. Gauba)**  
Officiating Chairperson

*pr/tp*