



(Regd. Post)

Appeal No. : 51 of 2025
Registered on : 29.12.2025
Date of Order : 07.10.2026

In the matter of:

Appeal against the order dated 17.11.2025 passed by CGRF, DHBVN, Gurugram in case No. 4960 of 2025

Karam Chand Gogia

Appellant

Versus

1. The XEN/OP City Division, Gurugram
2. SDO/OP, Sub Division Kadipur, DHBVN, Gurugram

Respondent

Before:

Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:

Shri Akshay Gupta, Advocate

Present on behalf of Respondents:

Shri Manoj Kumar, XEN Operation City, Gurugram
Shri Jagdeep Singh, SDO
Shri Sanjay Bansal, Advocate

ORDER

- A.** Shri Karam Chand Gogia has filed an appeal against the order dated 17.11.2025 passed by CGRF, DHBVN, Gurugram in case no. 4960 of 2025. The appellant has submitted as under: -

The present appeal is filed under Section 42(6) of the Electricity Act, 2003 read with Regulation 2.45 & Chapter-III of HERC (Forum & Ombudsman) Regulations, 2020 read with Regulation 3.16 of Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020 by the Appellant against the order dated 17.11.2025 passed by the Ld. CGRF, DHBVN in Case No. 4960/2025, wherein without going through the case records and appreciating the merits of the case, the Ld. CGRF disposed of the case and passed an unreasoned order.

Most respectfully sheweth:

1. Application for condonation of delay:

- 1.1 The Appellant is filing the accompanying appeal before this Hon'ble Ombudsman against the order passed by Ld. CGRF DHBVN Gurgaon (case number 4960-2025) dated 17.11.2025.
- 1.2 That the facts and averments contained in the accompanying appeal may kindly be read as part and parcel of the instant application, which are not being repeated here for the sake of brevity.
- 1.3 That vide order dated 17.11.2025, the Ld. CGRF DHBVN Gurgaon adjudicated the petition filed by the complainant regarding wrong charging on account of difference of tariff.
- 1.4 That the appellant received the copy of the order on 19th-11-2025.

- 1.5 That the Applicant craves the indulgence of this Hon'ble Ombudsman to condone a delay of 3 days in filing the accompanying appeal which has occurred due to inadvertent and Bonafide reasons beyond the control of the Appellant.
- 1.6 That prima-facie, the facts and circumstances of the present case are in the favour of the Appellant and the balance of convenience is also in its favour.
- 1.7 That it has been consistently held by courts that the cause of substantial justice has to prevail upon the technicalities. The Hon'ble Apex Court in the case titled *Special Tehsildar, Land Acquisition, Kerala Vs. K.V. Ayisumma repoded as 1996(10) SCC- 634* has inter alia held that *"The Limitation Act made no distinction between the State and the Citizen. None the less, adoption of strict standard of proof leads to grave miscarriage of public justice. The approach of the Court should be pragmatic but not pedantic."*

It is, therefore, respectfully prayed that the present application be allowed and the delay of 3 days in filing the appeal may be condoned.

2. Facts of the case:

- 2.1 That Mr. K. C. Karamchand Gogia (hereinafter referred to as the *Appellant/Complainant*) is the lawful owner of the property situated at Rect No. 5, Killa No. 18/2, First Floor, Krishna Nagar, Kadipur, near 707 Shop Factory, Gurugram, having acquired ownership of the said premises through family settlement, partition, and a decree passed in his favour in the year 2015.
- 2.2 That the said property was thereafter rented out to Mr. Sanjeev Gera, and the tenant of the Appellant applied for a fresh Non-Domestic Supply (NDS) electricity connection of 10 kW vide Application No. G14-825-582 dated 27.08.2025.
- 2.3 2.3 That the said application was rejected and cancelled by the Respondent Nigam on the basis of the following remark:
- "As per JE report, defaulting amount pending on site vide account number 3112270000, Rs. 23,52,531/- in the name of Poonam Gogia."*
- 2.4 That the Respondent Nigam illegally and arbitrarily cancelled the application on the ground of alleged outstanding dues of ₹23,52,531/- pertaining to Account No. 3112270000 in the name of Ms. Poonam Gogia, who is a third party and erstwhile consumer, whose dispute relates to the year 2004 and is presently pending adjudication before the Hon'ble High Court of Punjab and Haryana.
- 2.5 That the Appellant has no concern, privity of contract, or relationship whatsoever with the said alleged defaulting consumer, namely Ms. Poonam Gogia. The ownership of the property was transferred to the Appellant only

in 2015, by way of family partition and court decree, long after the alleged dues, if any, had arisen.

- 2.6 That it is a settled principle of law that electricity dues do not constitute a charge on the property and are recoverable only from the consumer in whose name such dues arose. The Appellant, being a subsequent owner, cannot be fastened with the liability of an erstwhile consumer.
- 2.7 That despite the above settled legal position, the Respondent Nigam wrongly cancelled the application for a fresh electricity connection, thereby violating the rights of the Appellant and his tenant to obtain electricity supply, which is a basic necessity and an integral part of the right to life under Article 21 of the Constitution of India.
- 2.8 That the Appellant is ready and willing to furnish all necessary ownership and title documents to demonstrate that he became the lawful owner of the property in the year 2015 and has no connection or nexus with the alleged defaulting consumer.
- 2.9 That being aggrieved by the illegal action of the Respondent Nigam, the Appellant filed a complaint under Section 42(5) of the Electricity Act, 2003 before the Corporate Forum for Redressal of Consumer Grievances (CGRF), DHBVN, Gurugram. (Copy of complaint attached as E-1)
- 2.10 That despite the settled law that electricity dues are not a charge on the property, the Corporate CGRF dismissed the complaint by mechanically invoking Regulation 2.15 / 2.27 (pendency clause), without examining the distinct identity of the Appellant, the independent cause of action, and the nature of the relief sought, which pertained to a fresh electricity connection. (Copy of order attached as E-2)
- 2.11 That the Corporate CGRF, DHBVN, Gurugram dismissed the complaint in a mechanical, arbitrary, and non-speaking manner, without proper application of mind to the facts, documents, and submissions placed on record by the Appellant. The impugned order is based on assumptions and hypothetical reasoning, ignores the material on record, and has been passed in violation of the principles of natural justice, without affording the Appellant a fair and effective opportunity of hearing, thereby rendering the order unsustainable in the eyes of law.

3. GROUNDS OF APPEAL

- 3.1 Because, The CGRF erred in law by invoking the bar of pendency merely because a dispute involving Ms. Poonam Gogia is pending before the Hon'ble High Court.
- The Appellant is neither a party nor claiming through her, and the present grievance pertains to denial of a fresh electricity connection, which is an independent and separate cause of action.

3.2 Because, It is a settled principle that electricity dues are personal to the consumer and do not run with the property.

The CGRF itself recorded this settled position but failed to grant relief, rendering the impugned order self-contradictory.

Reliance placed on:

- *Isha Marbles v. Bihar State Electricity Board*, (1995) 2 SCC 648
- *Paschimanchal Vidyut Vitran Nigam Ltd. v. DVS Steels*, (2009) 1 SCC 210

3.3 Because , Under Regulation 1.5(f) of HERC Regulations, an applicant for new connection is expressly covered as a “consumer”.

The CGRF failed to exercise jurisdiction vested in it and declined relief on an erroneous assumption of lack of jurisdiction.

3.4 Because CGRF failed to understand that electricity is an essential service forming part of Article 21 of the Constitution of India.

Denial of supply on the basis of third-party dues is arbitrary, unreasonable, and violative of fundamental rights.

3.5 Because CGRF failed to pass a speaking order as

The CGRF order does not deal with:

- A.** Distinction between past consumer and present owner
- B.** Absence of statutory charge on property
- C.** Independent cause of action for new connection

Hence, the impugned order is liable to be set aside.

4. INTERIM PRAYER

It is most humbly submitted and prayed that this Hon’ble Ombudsman may be pleased to issue an immediate interim direction to the Respondent Nigam to forthwith release and energize the electricity connection in favour of the Appellant during the pendency of the present appeal, as the matter is sub judice before this Hon’ble Authority. The Appellant has a strong prima facie case in his favour, the balance of convenience lies squarely with the Appellant, and denial of electricity—an essential service forming an integral part of the right to life under Article 21 of the Constitution of India—is causing grave, continuing, and irreparable hardship. Unless such interim protection is granted, the Appellant will be rendered incapable of carrying out his day-to-day activities, leading to serious prejudice which cannot be compensated at a later stage.

5. Prayer:

In view of the foregoing facts and grounds, this Hon’ble Ombudsman may graciously be pleased to admit the present appeal and to condone the delay of 2

days, caused in filing the same, as the same is neither deliberate nor intentional and:

- i. Set aside the CGRF Order dated 17.11.2025 passed in Complaint No. 4960/2025;
- ii. Direct the Respondent Nigam to process and release the new electricity connection applied vide Application No. G14-825-582 without insisting upon clearance of alleged dues of Ms. Poonam Gogia;
- iii. Hold that no liability arising out of disputes of the year 2004 can be fastened upon the Appellant, who became owner in 2015;
- iv. Grant any other relief(s), including costs, as this Hon'ble Ombudsman may deem fit in the interest of justice.

B. The appeal was registered on 29.12.2025 as an appeal No. 51 of 2025 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 19.01.2026.

C. The matter was taken up for hearing on 19.01.2026 through Video Conferencing as scheduled. During the course of hearing, Shri Sanjay Bansal, counsel for the respondents, submitted that he has been very recently engaged in the matter and received the engagement letter from the Legal Remembrancer, Haryana Power Utilities vide Memo No. 07/64/HERC/2025 dated 15.01.2026. He, therefore, prayed for grant of reasonable time to file a detailed reply / written submissions on behalf of the respondents.

On the other hand, Shri Akshay Gupta, counsel for the appellant, strongly opposed the request for adjournment and emphasized the urgency involved in the matter. He requested that the case be listed for final hearing on an urgent basis.

The Electricity Ombudsman expressed serious concern over the delay at the utility level in engaging counsel for the respondents despite issuance of notice of motion in Appeal No. 51 of 2025 as early as 29.12.2025.

After giving due consideration to the submissions made by both sides and keeping in view the interest of justice, the following directions are issued:

1. The respondents shall file their detailed reply / written submissions along with all relevant documents on or before 26.01.2026.
2. The appellant, is also advised, may file rejoinder affidavit / additional written submissions well before the next date of hearing so as to enable effective and meaningful adjudication on the next scheduled date.

The matter is listed for hearing / arguments on 27.01.2026.

- D.** On email dated 24.01.2026, Sh. Sanjay Bansal counsel of respondent has submitted reply, which is as under:

On Condonation of delay: -

That the condonation of delay means extending the time in certain cases if there is a valid reason for the delay. The law of land in the interest of justice has prescribed and recommended the provisions of limitation/ restrictions to allow the extension of the prescribed period if the appellant or applicant can show a valid reason for not filing the appeal or application on time. But in the present appeal the appellant has not mentioned any valid reason for delay in filing the appeal. So, the present appeal may kindly be dismissed on this ground only.

SUBMISSIONS: -

1. That one suit for declaration titled as Karam Chand Gogia Vs. Sudarshan Gogia was filed in the court of Civil Judge Senior Division Gurgaon by the appellant Karam Chand Gogia against his real brother Sudarshan Gogia in the year 2014. Sudarshan Gogia was owner in possession of agriculture land bearing Rect No. 5, Killa No. 18/2 measuring 2 Kanal 9 Marla, to the extent of $\frac{1}{2}$ share which comes to 1 Kanal 4 $\frac{1}{2}$ Marla situated within the revenue estate of village Kadipur, Tehsil and Distt. Gurgaon. Copy of plaint is annexed as Annexure R-1.
2. That in the year 2015 during the pendency of the suit for declaration both the parties of above noted case arrived at a compromise and Sudarshan Gogia (Appellant's brother) admitted the claim of Karam Chand Gogia (Appellant) to the effect that as per the settlement, Sudarshan Gogia allotted his $\frac{1}{2}$ share of the land in question, in favour of Karam Chand Gogia. Copy of compromise is annexed as Annexure R-2.
3. That Sh. Sudarshan Gogia was previously having an electricity connection bearing A/c No. BMS2-30/BR41-0152 in the same premises and said Sudarshan Gogia become defaulter of the Nigam to the tune of Rs. 52,05,315/- and the said connection was permanently disconnected vide PDCO No. 106712 dated 02-06-2011. In this regard a notice bearing memo no. 1296 dated 17-06-2013 was served upon to the appellant's brother (Sudarshan Gogia), but he did not reply to the said notice.
4. That thereafter another notice bearing memo no. 4096 dated 02-03-2015 was also served upon to the appellant's brother (Sudarshan Gogia) stating to deposit the said defaulting amount of Rs. 52,05,315/- within a period of 15 days positively, otherwise the same amount will be transferred to your same premises running A/c i.e. BR-41-0150/ 3112270000 in the name Ms. Poonam Gogia (Wife of Sh. Sudarshan Gogia). But the appellant's brother did

not care a bit and so said amount was transferred in the year of 2015 in the running account of Ms. Poonam Gogia (Wife of Sh. Sudarshan Gogia) being same premises. And the connection in the name of Ms. Poonam Gogia was disconnected. The respondent department has right to recover the arrears from defaulting consumers as per Instruction No. 7.3 of Sales Manual 2013 of DHBVN. Copy of Sales Manual is annexed as Annexure R-3.

5. That it is pertinent to mention here that now a sum of Rs. 2,35,25,315/- is currently outstanding against Ms. Poonam Gogia. Copy of bill is annexed as Annexure R-4.
6. That consumer Sanjeev Gera who is tenant of appellant Karam Chand Gogia had applied new electricity connection vide online application no. G 14-825-582 dated 27-08-2025 for 10 KW NDS category. Copy of application form for electricity connection as annexed as Annexure R-5.
7. That the site of the applicant was checked by area incharge JE and it was reported that a connection having account no. 3112270000 in the name of Poonam Gogia was already existing at this site and defaulting amount of Rs. 2,35,25,315/- is still outstanding. And as per Nigam instructions, new connection on defaulting premises cannot be released. As such the application of Sh. Sanjeev Gera tenant of Sh. Karam Chand Gogia, for new connection had been cancelled on 03-09-2025 (Annexure R-6).
8. That further it is also submitted that court cases of Poonam Gogia having account no. 3112270000 is also pending in the Hon'ble Punjab & Haryana High Court Chandigarh vide CWP- 24804/2024, CWP- 6809/2025 and RSA- 22/2024. List of pending cases is annexed as Annexure R-7.

So therefore, it is, respectfully prayed that as per Nigam instructions new connection on defaulting premises with pending amount, and due to pending cases in Hon'ble High Court, the department is unable to release the new electricity connection to the consumer.

So it is, therefore, prayed that keeping in view the above contentions of the respondent department the present appeal of the appellants may kindly be dismissed. And pass any other order in favour of respondent in the interest of justice.

- E.** The matter was taken up for hearing on 27.01.2026. The appellant was represented through counsel, who sought adjournment on the ground of prior physical engagement elsewhere. The request was considered and the hearing proceeded with arguments from both sides at 15:30 Hours.

The counsel for the appellant submitted that the impugned order of the CGRF rested solely on the pendency of certain cases before the Hon'ble Punjab & Haryana High Court involving Smt. Poonam Gogia (Account No. 3112270000), without addressing the substantive merits. He contended that the appellant became co-sharer of the property (Rect. No. 5, Killa No. 18/2, measuring 2 Kanal 9 Marla) only in 2015 pursuant to a compromise decree passed by the Civil Judge (Senior Division), Gurugram, in the suit titled *Karam Chand Gogia vs. Sudarshan Gogia*.

He further pointed out that the original default arose from the connection in the name of Sh. Sudarshan Gogia (husband of Smt. Poonam Gogia), which was permanently disconnected vide PDCO No. 106712 dated 02-06-2011 for an outstanding amount of Rs. 52,05,315/-. Notices were issued on 17-06-2013 (Memo No. 1296) and 02-03-2015 (Memo No. 4096) to Sh. Sudarshan Gogia, but no reply was made by the appellant. The dues were thereafter transferred to the account of Smt. Poonam Gogia in 2015. The counsel argued that the dues have since escalated to approximately Rs. 2,35,25,315/- primarily due to continuous levy of surcharge, and that the respondent-Nigam failed to follow the procedure prescribed under Instruction No. 7.3 of the Sales Manual (2013), particularly regarding recovery from defaulting consumers and transfer of arrears.

The counsel for the respondents reiterated the submissions made in their reply dated 24-01-2026, emphasizing that the transfer of dues to Smt. Poonam Gogia's account occurred before the property bifurcation in 2015, and that Instruction No. 7.3 (point 8) renders the present owner/occupant liable for Nigam dues attached to the premises. Reliance was placed on the pending High Court matters (CWP-24804/2024, CWP-6809/2025, RSA-22/2024) and the prohibition on releasing new connections on defaulting premises.

During the hearing, the specific queries from the SDO/OP Kadipur regarding:

- (i) the exact date of disconnection of Smt. Poonam Gogia's connection;
- (ii) the latest instructions governing liability of co-sharers/subsequent owners in respect of arrears attached to an undivided property that is later subdivided; and
- (iii) the basis for continued levy of surcharge beyond the initial fixed period after disconnection.

The SDO could not furnish satisfactory answers and sought time to place relevant records and instructions.

The appellant's counsel, in order to resolve the dispute, made an offer to bear 50% of the defaulting amount (to be computed by the respondents), subject to the respondents providing:

- (a) complete ledger details from the date of disconnection of Sh. Sudarshan Gogia's connection, including surcharge levied;
- (b) ledger of Smt. Poonam Gogia's connection from the date of transfer until six months after its disconnection (as surcharge on disconnected defaulting premises is leviable only for six months as per prevailing instructions); and
- (c) the frozen/final audited amount after the six-month period.

Directions/Interim Orders

1. The appellant shall file an affidavit within ten days affirming that the instant appeal does not involve any sub judice matter before the any Hon'ble court or Hon'ble Punjab & Haryana High Court (distinct from the cases involving Smt. Poonam Gogia), and shall undertake to deposit 50% of the defaulting amount (as finally determined by the respondents) within such time as may be directed after verification(if permitted as per roles and regulations of Licensee).
2. The respondents, through the XEN/OP City Division, Gurugram, shall file a detailed reply supported by an affidavit of the SDO/OP Kadipur, containing the following:
 - (a) Complete ledger extract of Sh. Sudarshan Gogia's connection from disconnection (02-06-2011) until transfer to Smt. Poonam Gogia's account, showing surcharge additions;
 - (b) Ledger of Smt. Poonam Gogia's connection from the date of transfer until disconnection, and for six months thereafter;
 - (c) The frozen/final audited outstanding amount as on the expiry of six months from disconnection of Smt. Poonam Gogia's connection;
 - (d) All relevant Sales Instructions/Circulars governing:
 - Levy of surcharge after six months from disconnection of a defaulting premises (if any);
 - Transfer/recovery of arrears when an undivided property is subsequently subdivided and co-sharers emerge;
 - Modalities for release of new connection in a subdivided portion of a defaulting premises.
2. The respondents shall ensure that the above reply is comprehensive, duly verified, duly-audited and supported by authenticated copies of instructions/circulars. The SDO/OP Kadipur shall remain present in person on the next date, fully prepared to explain the calculations and applicable provisions.

The matter is listed for hearing / arguments on 19.02.2026.

- F.** On 19.02.2026, counsel of respondent has submitted ledger copy.
- G.** On 19.02.2026, counsel of appellant has submitted affidavit in compliance of the interim order dated 27.01.2026.
- H.** The matter was taken up for hearing on 19.02.2026 through video conference. At the outset, the Electricity Ombudsman expressed strong displeasure over the failure of the respondent SDO/OP, Sub Division Kadipur, to file the detailed reply as explicitly directed in the interim order dated 27.01.2026. It was further noted that during the previous hearing on 27.01.2026, the respondent SDO appeared without adequate knowledge of the facts and records pertinent to the case, thereby impeding effective adjudication.

The Electricity Ombudsman voiced deep concern regarding this unprofessional conduct exhibited by the respondent SDO towards a statutory body constituted under the provisions of the Electricity Act, 2003. In view of the apparent disregard for the directions issued, it was deemed appropriate to issue a show cause notice to the respondent SDO, through his counsel Shri Sanjay Bansal, Advocate, as to why costs of Rs. 5,000/- should not be imposed upon him under Regulation 3.20 of the Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020 (HERC/48/2020), for failure to furnish the required reply and supporting documents within the stipulated timeframe.

The affidavit filed by the appellant's counsel, affirming that the appeal does not involve any sub-judice matter distinct from the cases pertaining to Smt. Poonam Gogia and undertaking to deposit 50% of the defaulting amount as finally determined (if permissible under the rules and regulations of the licensee), was taken on record. Respondent SDO is directed to submit comments in the matter.

Directions/Interim Orders

1. The respondents, through the SDO/OP, Sub Division Kadipur, are strictly directed to submit a pointwise reply to the matters specified in the interim order dated 27.01.2026 within 12 days from the date of this order. This reply shall be furnished in the form of an affidavit, duly verified and supported by authenticated facts, figures, ledger extracts, and relevant records/instructions as previously required, including but not limited to the complete ledger details, frozen/audited amounts, and applicable Sales Instructions/Circulars.
2. The aforementioned affidavit shall also include a justified explanation as to why costs of Rs. 5,000/- should not be imposed on the respondent SDO under Regulation 3.20 of the Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020 (HERC/48/2020), for non-compliance with the directions in the interim order dated 27.01.2026.

3. Upon receipt of the respondents' reply within the stipulated timeframe, the appellant shall file a rejoinder, if any, within 3 days thereafter.

The matter is listed for hearing / arguments on 11.03.2026.

I. On 10.03.2026, respondent SDO has requested as under: -

It is submitted before the Hon'ble commission that due to rush of work being closing of financial year, the detailed reply in the instant matter could not be prepared. It is humbly requested to allow at least one-week time to file proper reply.

J. On 10.03.2026, counsel of appellant has submitted objection to the request for extension of time filed by respondent SDO which is as under: -

1. That the respondent SDO has again sought extension of time through an email stating that due to the "closing of financial year" the detailed reply could not be prepared and requesting one week's further time.
2. That the said request is wholly unjustified and appears to be a deliberate attempt to delay the proceedings, particularly when this Hon'ble Ombudsman has already taken serious note of the respondent's conduct.
3. That in the interim order dated 19.02.2026, this Hon'ble Authority had specifically recorded strong displeasure regarding the failure of the respondent SDO to file the detailed reply despite earlier directions and also noted that the respondent had appeared earlier without proper knowledge of the facts and records.
4. That this Hon'ble Ombudsman had even issued a show cause notice to the respondent SDO regarding imposition of costs under Regulation 3.20 of the HERC (Forum and Ombudsman) Regulations, 2020 for failure to furnish the reply within the stipulated time.
5. That despite such strict observations of this Hon'ble Authority, the respondent has again sought adjournment on vague and routine administrative grounds which cannot be considered a valid justification for non-compliance with the directions of this Hon'ble Ombudsman.
6. That the respondent department has ample staff and records available and the matter has already been pending for considerable time. The repeated requests for time clearly demonstrate intentional delay and lack of respect for the directions of this Hon'ble Authority.
7. That allowing further time at this stage would defeat the very purpose of the proceedings and cause prejudice to the appellant, who is seeking expeditious adjudication of the dispute.

PRAYER

In view of the above, it is most respectfully prayed that this Hon'ble Ombudsman may kindly:

- a) Reject the request of the respondent for further time, and
- b) Proceed in accordance with law, including imposition of appropriate costs or other appropriate directions for non-compliance, in the interest of justice.

K. The matter was taken up for hearing on 11.03.2026 through video conference. At the outset, this Authority expressed serious concern and deep displeasure over the manner in which the respondents have been handling the matter. Particular reference was made to the developments that occurred subsequent to the email sent by the Respondent SDO on the previous day and the response issued by this office thereto.

During the course of the hearing, the Electricity Ombudsman repeatedly sought clarification from the Respondent SDO as well as the counsel for the respondents regarding the non-compliance of the interim directions issued by this Authority in the previous hearing. However, despite repeated opportunities, no satisfactory explanation was offered by the Respondent SDO or the counsel representing the respondents. Their continued silence and failure to respond compelled this Authority to adopt a more assertive approach in order to elicit a response.

Subsequently, the Respondent SDO and the counsel for the respondents submitted that a detailed reply would be filed within five days.

During the proceedings, the counsel for the appellant repeatedly attempted to press for immediate release of the electricity connection, apparently seeking to take advantage of the situation arising out of the respondents' non-compliance. In this regard, it was categorically clarified that the matter shall be decided strictly in accordance with the applicable statutory provisions, regulations, and due process of law, and any attempt to influence or dictate the decision of a statutory authority is impermissible.

Non-Compliance of the Interim Order

It is pertinent to mention that vide the previous interim order, the Respondent SDO was directed to submit a reply and explain the circumstances leading to non-compliance of the directions issued by this Authority. The said order also proposed imposition of a penalty of Rs. 5,000/- in case of failure to comply with the directions.

Despite the aforesaid directions, the Respondent SDO has failed to submit the required reply within the stipulated time and has not complied with the directions issued by this Authority.

Such conduct reflects gross negligence, lack of diligence, and an apparent disregard for the directions issued by a statutory authority established under the regulatory framework governing the electricity sector. This Authority cannot overlook the fact that such indifferent and unprofessional conduct on the part of field officers often

results in unnecessary harassment to consumers, compelling them to run from pillar to post for resolution of their grievances.

In view of the above circumstances and the continued failure of the Respondent SDO to comply with the directions contained in the previous interim order, this Authority finds it appropriate to proceed with the imposition of the proposed penalty. Accordingly, the following directions are hereby issued:

1. A penalty of Rs. 5,000/- (Rupees Five Thousand only) is hereby imposed upon the Respondent SDO for non-compliance of the interim directions issued by this Authority.
2. The Chief Accounts Officer (Pay & Accounts), DHBVN, Hisar is directed to deduct the aforesaid amount of Rs. 5,000/- from the salary of the Respondent SDO.
3. The deducted amount shall be paid to the appellant as compensation.
4. The Chief Engineer (Administration), DHBVN, Hisar is further directed to initiate appropriate disciplinary proceedings against the Respondent SDO under Rule 7 of the Punishment and Appeal Rules of the Licensee for failure to comply with the lawful directions of this Authority.
5. The respondents shall place on record documentary proof of payment of the said amount to the appellant before the next date of hearing.
6. In case the aforesaid directions are not complied with within the stipulated period, this Authority shall be constrained to initiate further proceedings and impose more stringent penalties for continued non-compliance and disregard of the orders of the Electricity Ombudsman.
7. A copy of the reply to be filed by the respondents shall be served in advance upon the counsel for the appellant.

The matter is listed for hearing/ arguments on 17.03.2026.

L. On 16.03.2026, counsel of respondent SDO has submitted Reply of Directions/Interim order dated 27-01-2026 in Appeal No. 51/2025 which is as under: -

1. That in the reply of point (a) of para 2 of 'Directions/ Interim orders, of order dated 27-01-2026, it is stated that complete ledger of Sudarshan Gogia's connection which is showing surcharge additions, is attached herewith as Annexure R-8. In this ledger it is clearly mentioned that no surcharge has been levied on the consumer after Dec. 2011. From Dec. 2011 to March 2015 the outstanding amount of consumer Sudarshan Gogia was fixed Rs. 52,05,316/-, which is clearly mentioned in the ledger of Sudarshan Gogia.
2. That in the reply of point (b) of order dated 27-01-2026, it is stated that ledger of Smt. Poonam Gogia's connection from the date of transfer until disconnection is attached herewith as Annexure R-9 (Excel Sheet sent separately with this reply) . In

this ledger the account is available from 15-12-2015 to 20-01-2024 and Rs. 2,34,52,871/- is showing outstanding amount.

3. That in the reply of point (c) of order dated 27-01-2026, it is stated that Rs. 2,37,49,850/- is outstanding against account no. 3112270000 in the name of Smt. Poonam Gogia and the permanent disconnection order is attached as Annexure R-10. And no surcharge is levied after 6 months from disconnection of defaulting premises. However, in the instant matter the defaulting amount of Sh. Sudarshan Gogia connection was transferred to account no. 3112270000 in the name of Smt. Poonam Gogia and being running account surcharge was levied.
4. That in the reply of point (d), it is stated that as per Sales Manual Instruction No. 4.3.2 of Notification of Haryana Electricity Regulatory Commission dated 8th January, 2014. "Where a property has been sub-divided as per law, outstanding dues for consumption of energy on such undivided property, if any, shall be cleared by the consumer in whose name the connection existed prior to division of the property. A new connection to any portion of such sub-divided premises shall be given only after the outstanding dues, if any, attributed to such un-divided premises are dully paid by the consumer in whose name the connection existed prior to division of property or by any other person on his behalf". Copy of Notification is annexed as Annexure R-11.
5. That as per Sales Manual (Fifth Edition- 2013) Instruction No. 7.3, the respondent department has right to recover the defaulting amount from other connection running in the name of same consumer as well as in the same premises. (which is already annexed in main reply as Annexure R-3.)
6. That as per Hon'ble Supreme Court Judgement K.C. Ninan Vs. Kerala State Electricity Board and others (2023), the Supreme Court ruled that Electricity distribution licensees can recover outstanding electricity dues from subsequent property owners. The court established that liability for arrears is tied to the premises, not just the individual consumer. In the present case the purchaser is liable to deposit the defaulting amount of previous owner. (Copy of Judgement K.C. Ninan Vs. Kerala State Electricity Board and Ors. is sent separately with this reply).

Prayer:-

So it is, therefore, prayed that in the present matter the outstanding amount from the consumer on the said premises is Rs. 2,37,49,850/-. And without the payment of outstanding dues the respondent department is not able to release the electricity connection on this premises, So keeping in view the above contentions of the respondent department the present appeal of the appellants may kindly be

dismissed. And pass any other order in favour of respondent in the interest of justice.

- M.** The matter was taken up for hearing on 17.03.2026. both the parties were present. The present appeal challenges the order dated 17-11-2025 passed by the Consumer Grievance Redressal Forum, DHBVN, Gurugram, whereby the request for release of a new electricity connection (applied by the tenant of the Appellant vide online Application No. G-14-825-582 dated 27-08-2025 for 10 kW NDS category) was rejected on the ground of outstanding defaulting amount of ₹2,35,25,315/- against Account No. 3112270000 (in the name of Smt. Poonam Gogia) at the same premises.

The Appellant contends that the premises in question is the same where the earlier connection bearing Account No. BMS2-30/BR41-0152 (in the name of Sh. Sudarshan Gogia, real brother of the Appellant) was permanently disconnected vide PDCO No. 106712 dated 02-06-2011, and that the transfer of the defaulting amount to Smt. Poonam Gogia's account in 2015 was impermissible. The Appellant further disputes the correctness of the outstanding amount, particularly the sudden posting of ₹45.38 lacs as "sundry charges" in May 2011 without any prior notice or opportunity of hearing, and relies upon Instruction No. 7.6 of the Compendium of Sales Manual Instructions, 2013 issued by DHBVN, which regulates surcharge after permanent disconnection. The Appellant has expressed willingness to deposit the principal amount (subject to verification) without any surcharge beyond the permissible period stipulated in the said Instruction.

The Respondents have relied upon Sales Circular No. 65/2007 for transfer of arrears to the running connection at the same premises, HERC (Electricity Supply Code and Related Matters) Regulations, 2014 (specifically the provision corresponding to Instruction 4.3.2 thereof, which prohibits release of a new connection on a defaulting premises until the entire arrears are liquidated), and the fact that civil proceedings involving Smt. Poonam Gogia are pending before the Hon'ble Punjab & Haryana High Court. The Respondents have also explained the sundry charges as arising out of migration from the earlier billing software (Tech Mahindra) to the new system.

After hearing the learned counsel for both parties at length, perusing the pleadings, documents placed on record (including notices dated 17-02-2013 and 02-03-2015, PDCO, ledger excerpts, civil suit documents and compromise decree of 2015), and considering the provisions of:

- (i) the Haryana Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2014 (as amended from time to time),
- (ii) the Haryana Electricity Regulatory Commission (Appointment & Functions of Electricity Ombudsman) Regulations (as amended from time to time), which

- empower this Forum to call for records, conduct inquiry, and issue appropriate directions for proper adjudication of the dispute, and
- (iii) the principles of natural justice and fair play,

this Forum is of the considered view that the exact quantum of recoverable arrears and the applicability of Instruction No. 7.6 of the DHBVN Sales Manual, 2013 (which expressly provides that no monthly surcharge shall be levied beyond the date of permanent disconnection or six months therefrom, whichever is earlier, and prescribes the limited charges recoverable on reconnection at the same premises by the original consumer or any other person) need to be authoritatively determined through pre-audit before any final adjudication. The sudden levy of ₹45.38 lacs as sundry charges without contemporaneous notice also requires verification.

Accordingly, the following interim directions are issued in the interest of justice and to avoid multiplicity of proceedings:

1. The Respondents shall forthwith get the ledger account of Sh. Sudarshan Gogia (A/c No. BMS2-30/BR41-0152) pre-audited from the date of levy of ₹10 lacs (June 2005) and ₹15 lacs (February 2006) up to the date of permanent disconnection (02-06-2011). The audit report shall contain month-wise details of all debits, credits (including ACD adjustments), supporting vouchers, and reasons for each entry.
2. The posting of ₹45.38 lacs as “sundry charges” in May 2011 shall be separately pre-audited by the Audit Section of DHBVN. The report shall explicitly state the basis of the levy, the software migration details, copies of relevant office orders/circulars authorizing such adjustment, and whether any demand notice was issued prior to the posting.
3. The Respondents shall conduct a site verification (if not already done) and certify, after examining the consumer case files, site inspection reports, and other records, whether the premises of the disconnected connection (A/c BMS2-30/BR41-0152) and the running connection (A/c 3112270000 in the name of Smt. Poonam Gogia) are one and the same premises. A clear certificate in this regard shall be furnished.
4. In the event the premises are certified to be the same, the Respondents shall examine the applicability of Instruction No. 7.6 of the DHBVN Sales Manual, 2013 as on date and recompute the recoverable amount strictly in accordance with the said Instruction, limiting surcharge and interest as prescribed therein.

The Appellant shall, within 15 days from the date of this order, file an affidavit before this Forum undertaking to deposit the entire amount as finally worked out and certified by the pre-audit (after compliance of the above directions) within such further time as may be granted by this Forum. In default of filing the affidavit or depositing the amount, the appeal shall stand dismissed without further reference.

The Respondents shall file their consolidated compliance report along with the pre-audit reports, certificate regarding premises, and recomputed demand (if applicable) within 30 days from the date of this order.

The matter is listed for hearing / arguments on 20.04.2026.

N. On 16.04.2026, counsel for respondent has submitted 3rd reply which is as under:-

1. That in the reply of point (1.) of 'Directions/ Interim orders', of order dated 17-03-2026, it is stated that the matter regarding levy of Rs. 10 lacs (June 2005) and Rs. 15 lacs (February 2006) has been already decided from the court of Ms. Manvika Banswal, HCS, Civil Judge (Jr. Divn.), Gurugram on 30-04-2013 vide Civil Suit No. 21/2010. Attachment of Judgment dated 30-04-2013 is attached with this reply. The above-mentioned judgment was in favour of the respondent department. After that the appeal had been filed against this judgment in the court of Sh. Vikram Aggarwal, Additional District Judge, Gurugram and it was also decided in favour of the respondent department. Attachment of Judgment dated 08-07-2013 in Civil Appeal No. 63 of 2013 is attached with this reply.

And in the reply of point (2.) of 'Directions/ Interim orders', of order dated 17-03-2026, it is stated that about the posting of Rs. 45.38 lacs as "sundry charges" in May 2011, it is stated that the decision of Civil Appeal no. 63 of 2013 has come in July 2013. So, penalty amount and sundry charges, both the amounts has been already decided before the Ld. Civil Court.

2. That in the reply of point (3.) of 'Directions/ Interim orders', of order dated 17-03-2026, it is stated that the respondent department has already verified the premises of the disconnected connection (A/c BMS2-30/ BR 41-0152) and the running connection (A/c 3112270000 in the name of Smt. Poonam Gogia) are on the same premises.
3. That in the reply of point (4.) of 'Directions/ Interim orders', of order dated 17-03-2026, it is stated that as per Instruction No. 7.6 of the DHBVN Sales Manual, 2013 no surcharge has been levied on the consumer after Dec. 2011. Complete ledger of Sudarshan Gogia's connection which is showing surcharge additions, is already placed on record as Annexure R-8.

Prayer:-

So it is, therefore, respectfully prayed that in the present matter the outstanding amount from the consumer on the said premises is Rs. 2,37,49,850/-. And without the payment of outstanding dues the respondent department is not able to release the electricity connection on this premises, So keeping in view the above contentions of the respondent department the present appeal of the appellants may kindly be dismissed. And pass any other order in favour of respondent in the interest of justice.

O. The matter was taken up for hearing on 20.04.2026. Th counsel for the appellant and the respondent SDO along with his counsel were present.

At the very outset, it was noticed that the respondents have wilfully and persistently failed to comply with the clear, specific and time-bound directions issued by this Forum vide detailed interim order dated 17.03.2026. The so-called “3rd Reply” filed by the respondents on 16.04.2026 is neither elaborate nor in the least compliant with the mandatory directions contained in the said interim order. The reply is evasive, vague and amounts to a deliberate attempt to circumvent the authoritative determination required to be made through pre-audit, site verification, reconciliation of ledger and strict application of Instruction No. 7.6 of the DHBVN Sales Manual, 2013. Such conduct on the part of the respondent department, particularly the respondent SDO, reflects a blatant disregard for the statutory authority of this Forum constituted under the Electricity Act, 2003 and the Haryana Electricity Regulatory Commission (Appointment & Functions of Electricity Ombudsman) Regulations.

The learned counsel for the appellant has been repeatedly pressing for release of the new connection without first settling the exact quantum of recoverable arrears. It is once again clarified to the counsel for the appellant that this Forum, being governed by the principles of natural justice and the statutory framework, cannot and shall not direct release of any connection on a defaulting premise without first ascertaining the precise and legally recoverable amount.

It is a matter of grave concern that the respondent SDO and the counsel for the respondents, taking advantage of the situation created by their own non-compliance, submitted before this Forum that they are “ready to release the connection if ordered”. This opportunistic stand taken by the respondents clearly demonstrates complete contempt for the authority of this Forum and an attempt to bypass the mandatory adjudication process. Such behaviour on the part of the respondent SDO and the counsel is highly deplorable, irresponsible and not at all appreciated by this Forum. It is evident that both sides have been indulging in tactics that hinder a fair, transparent and expeditious resolution of the dispute.

In order to put an end to this avoidable controversy and to arrive at the exact quantum of recoverable arrears pertaining to the premises in question in a transparent, accountable and legally sustainable manner, this Forum, in exercise of powers under the Haryana Electricity Regulatory Commission (Appointment & Functions of Electricity Ombudsman) Regulations and the principles of natural justice, hereby constitutes a High-Level Committee under the chairmanship of the Chairman, CGRF, UHBVN, Panchkula with the following members:

Sr. No.	Name
1	XEN / Operation Division, Manesar, DHBVN, Gurugram
2	Xen/Concerned office of Commercial back office, DHBVN, Hisar
3	Accounts Officer/Section Officer, Office of Chief Auditor, DHBVN, Gurugram (Audit Wing posted at Gurugram)
4	Divisional Accountant, Office of XEN / Operation City Division, DHBVN, Gurugram

5	Commercial Assistant, Office of SDO / Operation, Sub Division Kadipur, Gurugram
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The Committee shall:

- a) Thoroughly peruse and strictly comply with every direction contained in the interim order dated 17.03.2026;
- b) Prepare a complete month-wise ledger of the dues pertaining to the premises from the date of levy of the earlier amounts (June 2005 and February 2006) till date, incorporating all debits, credits, ACD adjustments, supporting vouchers and reasons for each entry;
- c) Specifically examine and report on the posting of ₹45.38 lacs as “sundry charges” in May 2011 along with the basis, authorization and notices issued, if any;
- d) Certify whether the premises of the disconnected connection (A/c BMS2-30/BR41-0152) and the running connection at that time (A/c 3112270000) are one and the same;
- e) Examine the applicability of Instruction No. 7.6 of the DHBVN Sales Manual, 2013 and recompute the recoverable amount strictly in accordance therewith, limiting surcharge/interest as prescribed;
- f) Submit a detailed, self-contained and well-documented report supported by the complete calculation sheet (ledger), all relevant vouchers, office orders, circulars and site verification certificate within 30 days from the date of this order, without fail.

Since the respondent SDO has repeatedly and deliberately failed to furnish the requisite reports and satisfactory compliance despite repeated directions of this Forum, a penalty of Rs. 15,000/- (Rupees Fifteen Thousand only) is hereby imposed upon him personally, which shall be debited from his personal salary and held with licensee till final order from the date of this order. Further, disciplinary action, as already mandated in the interim order dated 19.02.2026 under P&A Rulr-7, shall be initiated against the said SDO forthwith. The total amount of penalty to be deducted from the salary of the respondent SDO should be restrained to Rs. 15,000/- only, if the penalty of Rs. 5000/- has already been deducted by carrying out the necessary adjustment.

It is observed with deep displeasure that certain officers of the respondent department are treating the orders passed by this statutory Forum — constituted under the provisions of the Electricity Act, 2003 — in a casual, routine and cavalier manner. Such conduct on the part of the respondent SDO is highly condemnable, unbecoming of a public servant dealing with consumers and results in avoidable

harassment to the appellant. The attitude adopted by the respondent SDO in the instant case is a classic example of how such indifference defeats the very purpose of the consumer grievance redressal mechanism.

The parties are directed to submit their respective replies/rejoinders, if any, one week before the next date of hearing.

The matter is listed for further hearing / arguments on 21.05.2026.

- P.** The matter was taken up for hearing on 21.05.2026. Learned counsel for the appellant, counsel for the respondents along with SDO(OP) Kadipur, and the Chairman of the High-Level Committee constituted vide Interim Order dated 20.04.2026 were present through video conferencing.

At the outset, the status of compliance of the directions contained in the Interim Order dated 20.04.2026 and the progress of the High-Level Committee was enquired into. It was noticed that the records provided by the respondents so far are incomplete and inconsistent. There are material discrepancies in the ledger vis-à-vis Initial Reading (IR) and Final Reading (FR). Important documents such as Meter Change Order (MCO), date of meter replacement, M&P checking reports, and complete billing/payment details (particularly of the period when billing was handled by M/s Tech Mahindra) have not been furnished.

After detailed deliberations and considering the submissions made by the parties and the Chairman of the Committee, the directions (mentioned on next pages) are issued for strict and time-bound compliance:

DIRECTIONS TO THE RESPONDENT LICENSEE (DHBVN)

1. The office of the Chief Engineer (IT) / SE (IT), DHBVN, Hisar shall forthwith provide complete access to the entire billing data of the connection(s) released at the premises in question, including all accounts to which the defaulting amount was transferred. The data shall include billing details, payments made, sundry charges, and all other relevant entries from the date of release of the connection till date.
2. The XEN (M&P) Division, Gurugram shall provide all records of checking carried out on the connection(s) at the said premises, including intermittent checkings and the checking conducted at the time of Permanent Disconnection (PDCO).
3. The XEN (Vigilance), Gurugram shall supply copies of any checking / inspection reports carried out by their office in respect of the connection(s) at the said premises, if any.
4. The SE (Commercial Back Office), DHBVN, Hisar shall ensure that all relevant records are duly collected and provided to the members of the High-Level Committee without any further delay.

5. The SDO (OP), Sub-Division Kadipur and the Commercial Assistant posted there shall coordinate with the above wings and ensure expeditious compliance. They shall also submit a detailed affidavit on or before the next date of hearing, stating on oath that all records available with them in their official capacity as bona fide employees of the licensee have been submitted and that no other relevant record is lying with them.

DIRECTIONS TO THE HIGH-LEVEL COMMITTEE

The Chairman, Corporate CGRF, UHBVN, Panchkula, and the members of the High-Level Committee constituted vide order dated 20.04.2026 are granted 25 days' time from today to finalize and submit a comprehensive, self-contained report strictly in terms of the directions contained in the Interim Order dated 20.04.2026. The Committee shall ensure that the report, along with the complete month-wise ledger, calculation sheet, and all supporting documents, is submitted to this Forum at least five days prior to the next date of hearing so that the appellant's counsel may file rejoinder, if any.

DIRECTIONS TO THE APPELLANT

The request of the learned counsel for the appellant is accepted. He is directed to make available to the respondents (SDO/OP Kadipur and Commercial Assistant) all available records pertaining to billing and payment receipts in respect of the connection(s) released at the said premises. The respondents shall duly verify and certify the same, if found in order, before placing them before the High-Level Committee.

Considering the inordinate delay already caused in the matter and the need for expeditious resolution, the matter is adjourned and listed for further hearing and arguments on 22.06.2026 at 11:00 A.M. in the office of the Electricity Ombudsman, Haryana, Panchkula. Both parties shall ensure meticulous compliance of the above directions. In case of any default, this Forum shall be constrained to take strict action, including imposition of additional costs/penalties.

- Q.** On 16.06.2026, Chairman, CGRF, UHBVN, Panchkula has submitted as under:-

This is with reference to the Interim Order passed by your goodself vide Endst. No.641-657 /EO/HERC/Appeal No. 51/2025 Dated 21.05.2026 vide which the next date of hearing in the subject cited case was fixed for 22.06.2026 at your office which later on was fixed for 19.06.2026 as per intimation received through your office E-mail on 05.06.2026. In this connection it is respectfully submitted that the matter from beginning has been taken up vigorously with SDO/Kadipur as well as Sh. Rajesh, Commercial Assistant who is also High-Level Committee formulated by

you vide Interim Order Dated 20.04.2026 and reference to this effect was made to SDO/Kadipur & Sh. Rajesh, Commercial Assistant vide Memo. No. Ch. Spl.6/Interim Order/SDO/Kadipur/DHBVN/Gurugram Case Dated 14.05.2026 to submit the requisite data/information/reply, with CC to all concerned, but even after constant follow up the requisite M&P Checking Reports after 08.06.2025 to the date of PDCO i.e. 02.06.2011 in the name of Sh. Sudershan Gogia are yet awaited. The matter was even referred directly to Xen./M&P Divn., DHBVN, Gurugram as well as Xen./Vigilance Wing, DHBVN, Gurugram vide this office Memo. No. Ch. Spl. 10/Interim Order/SDO/Kadipur/DHBVN/Gurugram Case Dated 27.05.2026 to submit the copies of the Checking Reports conducted by their Wing after 08.06.2025 to the date of PDCO i.e. 02.06.2011 in the name of Sh. Sudershan Gogia but till date nothing has been received from Xen./M&P Wing. However, report has been received from Vigilance Wing through E-mail on 03.06.2026. Besides this, SDO/Kadipur was also directed to take up the matter with concerned authority for the very purpose but nothing has been heard from his side also.

As such, for want of complete information/data in order to submit the detailed findings of the case, it is again requested that at least three weeks more time may kindly be granted for the very purpose so that the concerned offices could again be pursued strictly and directed for submission of the requisite report/data immediately enabling the High Level Committee to further submit its detailed conclusive complete facts finding report to your good office with all relevant record/documents/annexures please.

R. The matter was taken up for hearing on 19.06.2026 through Video Conferencing.

This Authority has carefully perused the correspondence and reports submitted by the Chairman, Corporate CGRF, UHBVN, particularly the repeated communications highlighting the persistent inability of the Respondents to furnish basic and essential records/data required for determining the exact quantum of recoverable arrears.

Despite multiple opportunities and specific directions issued by this Forum from time to time, the Respondents have failed to provide complete and reconciled data, including M&P checking reports, ledger extracts, and other relevant documents pertaining to the old connection (Account No. BMS2-30/BR41-0152) up to the date of Permanent Disconnection. This continued non-compliance has resulted in undue delay in the adjudication of the appeal.

It is a matter of serious concern that the Respondents have not demonstrated due diligence in maintaining and producing consumer records. The plea of data unavailability due to shifting of records or change in billing agency does not absolve the licensee of its statutory responsibility to maintain accurate, complete, and

readily retrievable consumer accounts, as mandated under the Electricity Act, 2003, and the applicable HERC Regulations and DHBVN Sales Instructions.

In view of the above and to ensure a transparent, accountable, and expeditious resolution of the dispute regarding the exact recoverable amount, the following directions are issued:

1. The Director (Operations), DHBVN, shall immediately organise a dedicated coordination camp/meeting at his office (or any other suitable venue decided by him) in the presence of the Chairman, Corporate CGRF, UHBVN (who shall chair the proceedings), and all concerned senior officers, including but not limited to SE/IT (providing of the login credential of earlier billing agency), SE/CBO (providing of the complete data/ledger of the instant consumer or any connection released in the said premises), SE/M&P (providing the complete detail/load survey of the M&P checking that were carried out in the said premises in respect of the connection of above 20 KW release), Xen/Vigilance (To provide the data of the LL-1 that was filled in respect of the connections in the said premises alongwith calculation detail if available in the record), SE/OP Gurugram-I (to Coordinate that with the all the functionary so as to arrive at a final figure as nothing concrete has been arrived upon inspite of issuance repeated direction by way of interim order), Chief Auditor (To get the record of IAP parties check and available record being made available be used to arrive at a figure and also check if the arrive figures is correct at per the instructions of the Nigam), XEN/M&P, and the concerned SDO/XEN of the Respondents. In addition, other direction which Director operation, DHBVN chairman corporate CGRF, UHBVN may deem fit so as to get the exercises completed by way of which the final figure recoverable from the ibid premises could be arrived upon.
2. The purpose of the camp shall be to reconcile all available records, resolve discrepancies, retrieve/reconstruct missing data to the extent legally permissible, and arrive at a firm, duly audited, and legally sustainable figure of recoverable arrears in strict compliance with Instruction No. 7.6 of the DHBVN Sales Manual (Compendium of Sales Instructions), 2013, and other applicable regulations/circulars.
3. All concerned officers and officials shall attend the camp and work continuously until the exercise is completed and a clear, reconciled figure is finalised, supported by available documentary evidence and proper reasoning.
4. The said exercise shall be completed within 15 days from the date of this order, without fail. The Director (Operations), DHBVN, shall fix the date(s) of the camp(s) in consultation with the Chairman, Corporate CGRF, and ensure full participation of all stakeholders.
5. The Chairman, Corporate CGRF, UHBVN, shall submit the Minutes of Meeting (MOM) of the camp along with the final reconciled and audited figure of recoverable arrears to this Forum, with a copy to the Appellant, within 3 days of completion of the exercise.

It is made clear that sufficient opportunities have already been granted to the Respondents. Any further failure or delay in compliance shall be viewed seriously and may attract appropriate proceedings under the relevant provisions of the Haryana Electricity Regulatory Commission (Forum & Ombudsman) Regulations, 2020, including imposition of costs.

The matter shall be listed for further hearing on 10.07.2026.

- S.** On dated 23.06.2026, Chairman, CGRF, UHBVNL, Panchkula has submitted as under:

“This is with reference to your office latest Interim Order issued vide Memo No. 1044-62/EO/HERC/Appeal No. 51 of 2025 dated 19.06.2026.

In this behalf you are humbly requested to intimate the name of the concerned Director/Operation, DHBVN, Vidyut Sadan, Hisar, So that matter could be taken up with the concerned officers/incharge, as directed in your Interim order please.

- T.** On 24.06.2026, office has sent a letter to Chairman, CGRF, UHBVN, Panchkula in reference to Memo No. Spl. 35/Interim Order/SDO/Kadipur/DHBVN/Gurugram Case dated 23.06.2026 which is as under.

“This has reference to your above-mentioned Memo dated 23.06.2026 regarding constitution of the High Level Committee and request for intimation of the name of the concerned Director/Operation, DHBVN, Hisar.

It is informed that the matter has been discussed with the concerned Director (Operation), DHBVN, Vidyut Sadan, Hisar, Sh. V.K. Aggarwal. A copy of the orders has been shared with him today i.e. 24.06.2026. During the telephonic discussion, Sh. V.K. Aggarwal has assured full cooperation in the matter.

It is therefore requested to kindly expedite the constitution of the High Level Committee and complete the exercise within the stipulated time of 15 days as granted in the Interim Order (already shared and emailed to your office).

Waiting for early necessary action.”

- U.** On 08.07.2026, counsel of appellant has sent an email to CGRF, UHBVN which is as under: -

I hereby acknowledge the receipt of your email along with the attached communication.

With reference to the proceedings before the High-Level Committee constituted by the Hon'ble Electricity Ombudsman in the matter of Karan Chand Gogia v. DHBVN, I respectfully submit that I require one week's time to furnish the documentary proof of the payments made by Mr. Sudarshan Gogia and Ms. Sangita Malik in respect of the concerned electricity connection and premises.

As the transactions pertain to a considerably old period, the relevant records are not readily available and I am in the process of obtaining the necessary documents from the concerned bank and other relevant sources.

I, therefore, request your kind indulgence in granting me one week's time to submit the requisite proof.

Thank you for your consideration.

- V. The matter was taken up for hearing on 10.07.2026 through Video Conferencing.

This forum has carefully perused the records, previous orders, and the submissions made during the hearing, including the status report provided by the Chairman, Corporate CGRF, UHBVN, Panchkula, pursuant to the directions issued vide Interim Order dated 19.06.2026 (Memo No. 1044-62/EO/HERC/Appeal No. 51/2025).

The Chairman, Corporate CGRF, UHBVN, who is chairing the High Level Committee constituted under the earlier directions, informed the Forum that substantial progress has been made in the reconciliation exercise, but certain key issues remain pending resolution. These are being addressed on priority. The following points were noted:

1. **Applicability of Sales Circular No. D-43/2005:** A Half Margin require verification for strict compliance with the formula and provisions of Sales Circular D-43/2005. The matter has been referred to the Chief Auditor, DHBVN, Hisar for detailed examination and clarification, excluding the member already part of the High Level Committee.
2. **M&P Checking Report:** The report indicating the meter as 66.66% slow (with tempered data in CMRI) needs legibility improvement, exact cut-off date of slowness (with meter readings), and copies of prior checking reports for 2006-2008, including the meter replacement in 07/2007. The SE/M&P, DHBVN, Gurugram has been directed to furnish these details.
3. **Outstanding dues in Account No. BR41-150 (Smt. Poonam Gogia):** The total outstanding of Rs. 2,35,25,315/- (including surcharge post-PDCO) requires segregation into: (i) Energy bills from connection date to PDCO and payments made; and (ii) The Rs. 52,05,315/- charged in March 2015 along with applicable surcharge as per Nigam instructions.
4. **Missing Billing Data:** Two years of billing/payment records appear unavailable in DHBVN's system. The Appellant's counsel has been granted time to submit an affidavit along with documentary proof of payments made by Sh. Sudershan Gogia and Smt. Sangita Malik. The Chairman, CGRF has been directed to coordinate with the concerned HARTRON billing agency for any available archival data.

The Appellant's counsel reiterated the primary relief of release of a new connection to the Appellant as lawful owner of the premises and raised issues regarding the fastening of dues from a separate connection (in the name of Smt. Sangita Malik). The counsel for the Appellant was directed to furnish relevant account details to the High Level Committee for proper consideration as per applicable Nigam instructions and the Electricity Supply Code.

Regarding the request for a temporary connection, the Appellant's counsel was advised to wait till final decision as case is near adjudication. It was further clarified that the interim directions for determination of recoverable arrears were issued at the instance of the Appellant himself to enable a legally sustainable resolution. The parties are expected to cooperate in good faith with the High Level Committee.

The Chairman, Corporate CGRF, UHBVN, Panchkula submitted that a comprehensive report is likely to be finalized within the next 17-18 days.

Directions:

In continuation of the Interim Order dated 19.06.2026 and to ensure expeditious, transparent, and accurate determination of the recoverable amount in accordance with the Electricity Act, 2003, HERC Regulations, DHBVN Sales Instructions (including Instruction No. 7.6 of the Sales Manual, 2013), and Sales Circular D-43/2005, the following directions are issued:

1. The Director (Operations), DHBVN, Hisar shall, in consultation with the Chairman, Corporate CGRF, UHBVN, organize a further coordination meeting/camp at the earliest (preferably within the next 10-15 days) with all concerned stakeholders—including SE/M&P, Chief Auditor (independent verification), SE/OP Gurugram-I, SE/IT (for legacy data and taking up matter with billing agency to retrieve data from data base), and other relevant officers—to resolve the pending issues and arrive at a firm, reconciled, audited, and legally sustainable figure of recoverable arrears.
2. All concerned officers shall extend full cooperation and furnish the required legible documents, calculations, and clarifications within the stipulated timelines (8-10 days for specific records as sought in the CGRF memos dated 08.07.2026).
3. The Appellant shall submit the affidavit and supporting proof of payments within one week.
4. The Chairman, Corporate CGRF, UHBVN shall submit the Minutes of Meeting along with the final reconciled and duly audited from the office of Chief Auditor, DHBVN figure of recoverable arrears (supported by documentary evidence and reasoning) to this Forum, with a copy to the Appellant, within 3 days of completion of the exercise.

5. The Respondents, particularly the SDO/OP Kadipur, shall ensure timely compliance with all directions. Any further delay attributable to the Respondents shall be viewed seriously.

It is made clear that sufficient opportunities have already been granted. The High Level Committee's exercise must be completed without further delay so that the appeal can be adjudicated on merits as per the HERC regulation/supply code as amended from time to time.

The matter shall be listed for final hearing on 29.07.2026.

W. On 24.07.2026, Chairman, CGRF has submitted as under: -

With due respect, I am writing in reference to the Interim Order dated 19.06.2026 passed by this Hon'ble Forum in the above-mentioned Appeal No. 51 of 2025, wherein directions were issued to the Director (Operations), DHBVN for organizing a dedicated coordination camp/meeting for reconciliation of records and finalization of the recoverable arrears in respect of the old connection (Account No. BMS2-30/BR41-0152).

In compliance with the directions, the Director (Operations), DHBVN was requested to convene the meeting at the earliest. However, despite best efforts and multiple internal communications, the constituted committee has not been able to complete all the required formalities and reconciliation exercise within the stipulated timeline due to the voluminous nature of old records, coordination with multiple wings (including erstwhile billing agency, M&P, Vigilance, and Audit), and verification of historical data.

The committee is still in the process of reconciling the available records, M&P checking reports, ledger extracts, and other relevant documents. A substantial portion of the exercise has already been completed; however, certain critical verifications and cross-checks are still pending.

In view of the above, I most respectfully request your goodself to kindly grant 10 (ten) days' extension for completion of the reconciliation exercise and submission of the Minutes of Meeting (MOM) along with the final reconciled and audited figure of recoverable arrears.

We assure this Forum that the exercise shall be completed on priority and the required report will be submitted positively within the extended period.

I sincerely apologize for the delay and seek your kind indulgence in the matter.

X. On 25.07.2026, Counsel of Appellant has submitted as under:

I am writing on behalf of the Appellant in Appeal No. 51 of 2025 (Karam Chand Gogia vs. DHBVN) to respectfully bring to your kind notice the continued non-compliance of the directions issued by this Hon'ble Forum vide interim orders,

particularly the order dated 20.04.2026, whereby a High-Level Committee was constituted with specific directions to ascertain the legally recoverable amount.

Your Lordship had specifically directed the Committee to

- i) prepare a complete month-wise ledger from June 2005 onwards
examine the posting of ₹45.38 lakhs as "Sundry Charges" in May 2011 along with the basis, authorization and supporting notices, if any
- ii) verify whether both electricity connections pertain to the same premises;
- iii) examine the applicability of Instruction No. 7.6 of the DHBVN Sales Manual, 2013; and
- iv) submit a comprehensive report supported by all vouchers, ledgers, office orders, circulars and site verification certificate within the stipulated period.

Subsequently, upon the request of the Chairman, Corporate CGRF, UHBVN, an extension of ten days was granted and the hearing was postponed to 21.08.2026, with a clear expectation that the reconciliation exercise would attain finality.

However, despite the lapse of considerable time and repeated opportunities granted by this Hon'ble Forum, the respondents have still failed to produce any documentary evidence whatsoever to justify the levy of ₹45.38 lakhs shown as "Sundry Charges". No authorization, office order, notice, calculation sheet or supporting voucher has been produced in support of this huge demand.

Instead of complying with the precise directions of this Hon'ble Forum, the respondent authorities are now attempting to divert the proceedings by introducing altogether new issues such as alleged slowness charges, half margin charges, and other claims which were never raised, billed or recovered from the consumer during the subsistence of the electricity connection. These issues were never reflected in the consumer's account before the Permanent Disconnection (PDCO) and are now being raised for the first time after nearly twenty years, which is wholly arbitrary, legally unsustainable and beyond the scope of the present proceedings.

It is respectfully submitted that the present complaint fundamentally arises under Section 43 of the Electricity Act, 2003, concerning the statutory duty of the licensee to supply electricity upon request. The prolonged delay in final determination of the recoverable amount is directly preventing the release of the electricity connection and is causing continuous and irreparable prejudice to the appellant. Every adjournment and every attempt by the respondents to raise fresh issues defeats the very object of Section 43 and frustrates the statutory right of the consumer to obtain an electricity connection within the prescribed time.

In these circumstances, it is most respectfully prayed that this Hon'ble Forum may kindly:

1. Direct the respondents to confine themselves strictly to the issues identified in the interim orders and not permit introduction of fresh claims which were never part of the original demand.
2. Draw an adverse inference against the respondents for their failure to produce documentary evidence in support of the alleged ₹45.38 lakhs "Sundry Charges".
3. Expedite the proceedings and finally determine the legally recoverable amount on the basis of the material already available on record.
4. Pass appropriate directions for early disposal of the appeal so that the appellant's statutory right under Section 43 of the Electricity Act, 2003 is not rendered illusory due to the continued delay caused solely by the respondent department.

The appellant shall remain grateful for your kind consideration and for ensuring that the proceedings attain finality without permitting further unnecessary delays.

Y. On 19.08.2026, Chairman, CGRF, UHBVN has submitted committee report which is as under:-

This is with reference to the latest E-mail Dated 29.07.2026 sent to this office, vide which the next date of hearing in the subject cited case has been fixed for 21.08.2026 at 10.00 a.m. in your office. In order to finalize the conclusive report, a meeting was called for at Vidyut Sadan, UHBVN, Kurukshetra on 17.08.2026 in which the following members of the High Level Committee were present.

1. The Xen./concerned office of Commercial Back Office, DHBVN, Hisar.
2. The Accounts Officer/Section Officer, O/o Chief Auditor, DHBVN, Gurugram (Audit Wing posted in Gurugram) (ceauditor@dhbvn.org.in)
3. The Divisional Accountant O/o Xen. (OP) City Divn. DHBVN, Gurugram. (xenopcitygurugram@dhbvn.org.in)
4. Sh. Rajesh, Commercial Assistant O/o The SDO (OP) Sub-Divn. Kadipur, DHBVN, Gurugram. (Email : sdoopkadipur@dhbvn.org.in).
5. The Xen. (OP) Division, Manesar, DHBVN, Gurugram. (xenopmanesar@dhbvn.org.in) – He did not appear and was absent during the meeting at his sweet will. Neither any reference nor any messages was given by him in this regard. However, in order to apprise him about the discussions going on during the meeting, he was taken on Whats app Video Call.

On the basis of data made available by SDO/CCC Kadipur Sub-Division, DHBVN, Gurugaon, all the key points were discussed at length in order to arrive at a conclusive stage of fixing the outstanding amount in the name of Sh. Sudershan Gogia.

It is also further submitted that after obtaining/locating some bills for the year 2005 as a new data of consumption record came into existence, which were also discussed during the meeting. At last, High Level Committee was of the opinion that the matter may be referred again to Chief Auditor, DHBVN, Hisar for review and re-authentication of the Half Margin on the basis of new record produced. Although, giving sufficient time and opportunity as well as following up the matter vigorously either through references or verbal discussions too, after a gap of more than one

month, nothing cogent was received from his end. Side by side it was also decided by the Committee Members that whole account details may again be analyzed by CA of Operation Sub-Division, UHBVN, Kadipur for the period 01/2006 to June, 2011 and clear cut exact chargeable amount from the complainant be calculated. For this purpose, reference was made on the same to all concerned vide Memo. No. Ch. 75/ Interim Order/SDO/Kadipur/DHBVN/Gurugaon Case Dated 17.08.2026 for submission of requisite report up to 20.08.2026 till 3.00 p.m., copy of which has also been forwarded to you on the same day. Besides this, it is respectfully submitted that as and when the matter has been followed up with the concerned quarters/offices, copies of also the references/Memos stand transmitted to you simultaneously in order to apprise the action being taken by the Committee as well as special initiation/persuasion attempted from time to time during this intervening period at the level of undersigned with all concerned for early and timely submission of the requisite report to your goodself.

In this behalf the undersigned wants to submit that no doubt time and again, at the time of fixing of date of hearing at your end, reference was made about 3-4 times before this to grant another date of hearing so as to go deeply into the record in order to arrive at a conclusive amount, which is really chargeable from the complainant at this stage so that justice could be meted out by your office to the complainant after analyzing everything minutely. The matter is getting delayed for want of re-authentication of the Half Margin as well as exact facts based figures of chargeable amount from the concerned quarter i.e. Chief Auditor, DHBVN, Hisar and at the level of CA of Kadipur Sub-Divn. respectively.

At this stage, your goodself is being apprised of as under please:-

1. As per admitted fact, that Shri Karam Chand Gogia filed an appeal before the Hon'ble Electricity Ombudsman, Haryana on 29.12.2025 against the order passed by the Consumer Grievance Redressal Forum (CGRF), DHBVN, Gurugram, inter alia seeking release of an electricity connection to the premises in question. The respondent-DHBVN opposed the release of the electricity connection on the ground that the premises where the connection was sought for, is a defaulting one on account of Smt. Poonam Gogia, in respect of the earlier electricity connection. On the other hand, Shri Karam Chand Gogia submitted that he came into possession of the property only in the year 2015 and, therefore, the dues, if any, pertaining to Smt. Poonam Gogia could not be fastened upon him, particularly when such liability was attributable to the earlier consumer and was recoverable from her.
2. That during the proceedings held before your goodself, SDO/Kadipur, Gurugaon was repeatedly directed to furnish a detailed reply, complete calculation of the alleged outstanding amount and the supporting documentary record. However, despite repeated opportunities and specific directions, SDO/Kadipur failed to furnish the requisite details and documentary evidence in a complete and satisfactory manner. Then your goodself vide interim order dated 20.04.2026, observed that the respondents had failed to comply with the earlier directions and

that the matter required a transparent and accountable exercise for determining the exact quantum of legally recoverable arrears.

3. That in order to put an end to the controversy and to ascertain the exact quantum of recoverable arrears pertaining to the premises, your goodself constituted a High-Level Committee under the chairmanship of the undersigned. That the Committee was specifically directed to prepare a complete month-wise ledger from June 2005 onwards, examine the posting of Rs. 45.38 lakhs as "Sundry Charges" in May 2011 along with its basis and authorization, verify the identity of the premises pertaining to the old and running connections, examine the applicability of Instruction No. 7.6 of the DHBVN Sales Manual, 2013, and submit a detailed, self-contained and duly documented report supported by the relevant vouchers, office orders, circulars and site verification certificate.
4. That the undersigned, in the best interest of the consumer as well as the Nigam, undertook the exercise of reconciliation of the accounts of Shri Sudarshan Gogia for the relevant period commencing from the year 2005 till PDCO, including the date of checking. During the course of the reconciliation exercise, certain material records and issues were identified, which are relevant for arriving at a just, fair and correct determination of the recoverable amount. The issues so identified, along with the response furnished by DHBVN, are as under for your kind perusal please:
 - a. Billing and payment record from 02.08.2007 to June, 2009 - DHBVN submitted that the record is not available with them.
 - b. MCO record of Jan. 2006 and June, 2007 - DHBVN submitted that the record is not available with them.
 - c. M&P Checking Reports from 2006 to 14.07.2009 (PDCO) - DHBVN submitted that the record is not available with them.
 - d. Record relating to the cut-off date of declared regular slowness of the meter by M&P vide MT-1 dated 14.07.2009, including the downloaded data through CMRI-DHBVN submitted that the record is not available with them.
 - e. Record relating to set-right of MDI, which continued to be recorded as 58 KW from 2006 to June 2015, even after removal of the meter in 2011 - DHBVN submitted that the record is not available with them.
 - f. Half Margin No. 35 Dated 21.04.2006, which was not prepared in accordance with Sales Circular No. D-43/2005 - DHBVN submitted that the record is not available with them.
- 6 That the undersigned, with the assistance and co-operation of the concerned officials of DHBVN and by taking into consideration the relevant Sales Circulars/instructions issued by the Nigam and the applicable Regulations of the Hon'ble HERC, has made all possible efforts to reconcile the available record and arrive at a fair and legally sustainable conclusion regarding the amount, if any, recoverable from the consumer. The undersigned has endeavored to ensure that the amount is computed strictly in accordance with the applicable provisions and that no amount is sought to be recovered without a proper basis under the applicable regulations.

7. That during the course of the aforesaid exercise, the consumer was also directed to furnish authentic and duly verifiable documentary proof of the payments made by him, so that the same could be duly accounted for and adjusted while preparing the final reconciliation statement and determining the net recoverable amount, if any.
8. That, however, the undersigned is constrained to observe that the High Committee Officers/officials of the Nigam, have not extended the requisite co-operation for bringing the matter to a logical conclusion. Rather, during the course of the reconciliation exercise, it appeared that repeated attempts have been made to prolong and delay the settlement of the issue by raising one issue after another and by adopting different stands from time to time, instead of producing the requisite records and documentary evidence in support of the alleged outstanding amount.
9. That despite repeated opportunities and directions, the concerned offices have failed to produce the primary and contemporaneous records necessary to substantiate the charges sought to be included in the alleged outstanding amount. In the absence of such records, the Committee has found it difficult to conclusively verify the basis and correctness of such charges. The continued raising of fresh issues, which were not part of the original demand, and were not charged to the consumer during the relevant period, have further complicated the reconciliation exercise and has resulted in avoidable delay in finalizing the matter.
10. That the undersigned is of the considered view that the matter ought to be brought to finality on the basis of the available authentic record and the applicable Sales Circulars and HERC Regulations, rather than allowing the proceedings to be prolonged by raising successive and unsubstantiated issues. The same would be in the interest of both the consumer and the Nigam and would also facilitate compliance with the directions issued by your goodself please.

Hence all the High Level Committee Members as well as other quarters concerned have been requested to submit the requisite report/documents/papers in order to finalize the report till 20.08.2026 without fail so that the undersigned could be in a position to submit the same to you on the day of hearing which is fixed for 21.08.2026 in your office. For that purpose matter is being followed up vigorously with them please.

2. On 19.08.2026 office has sent the letter to Chairman, CGRF, UHBVN which is as under:

This has reference to your letter Memo No. Spl. 7/Interim Order/SDO/Kadipur/DHBVN/ Gurugaon Case dated 19.08.2026 regarding the High Level Committee constituted under your Chairmanship in the subject Appeal Case No. 51/2025.

It is a matter of serious concern that despite repeated opportunities, specific directions and sufficient time granted by this Forum, the High Level Committee has still not been able to finalise and submit a conclusive, self-contained and duly documented report on the exact recoverable amount. Your own communication clearly brings out that:

- Officers and officials of DHBVN have failed to extend the requisite cooperation.
- Primary and contemporaneous records continue to be reported as “not available”.
- Successive unsubstantiated issues are being raised, resulting in avoidable and deliberate delay.
- The matter is being prolonged instead of being brought to a logical conclusion on the basis of available authentic record, applicable Sales Circulars and HERC Regulations.

Particular mention is made of the deliberate non-attendance of Xen. (OP) Division, Manesar, DHBVN, Gurugram, who absented himself from the meeting held on 17.08.2026 at Vidyut Sadan, UHBVN, Kurukshetra “at his sweet will” without any prior intimation or reference. This conduct is unacceptable and amounts to wilful disregard of the Committee’s work and the directions of this Forum.

You are hereby directed to:

1. Immediately identify and furnish the names and designations of all officers and officials who have failed to render the assistance sought by the High Level Committee, including those responsible for non-production of records, non-submission of reports and non-cooperation.
2. Specifically name the officer(s) who deliberately excused themselves from attending the meeting of 17.08.2026.
3. Ensure that the complete report of the High Level Committee, along with all supporting calculations, documents and the names of the defaulting officers/officials, is submitted to this office before or at the hearing scheduled for 21.08.2026 at 10:00 a.m.

It is further directed that on the date of hearing (21.08.2026):

- The concerned officers and officials (including the Xen. (OP) Division, Manesar and any other defaulting officer/official named by you) shall be physically present in the office of the Electricity Ombudsman, HERC, Panchkula.

- They shall not be permitted to leave the premises until the assigned task is completed to the satisfaction of this Forum and the exact chargeable amount is finalised.
- Strict recommendations for initiation of disciplinary action, including imposition of heavy costs, shall be recorded against the officers/officials found responsible for non-cooperation, deliberate delay and making a mockery of the orders of this Forum issued under the Electricity Act, 2003 and the HERC Regulations.

It has been repeatedly observed from the correspondence that certain officers and officials of the Nigam are adopting delay tactics and raising successive issues with vested interests, thereby obstructing the proper and timely adjudication of the matter. Such conduct will not be tolerated any further.

You are required to ensure strict compliance of the above directions. Failure to submit the report and produce the concerned officers/officials on 21.08.2026 will be viewed seriously and appropriate action will follow.

This communication is issued in the interest of justice and for ensuring accountability.

AA. The matter was taken up for hearing on 21.08.2026 through Video Conferencing as scheduled.

At the outset, this Forum enquired from the Chairman, Corporate CGRF, UHBVN, Panchkula (who is chairing the High Level Committee constituted under the interim order dated 20.04.2026 and subsequent directions issued vide interim orders dated 19.06.2026 and 10.07.2026) regarding the status of finalisation of the exact recoverable arrears and the compliance of the directions contained in the communication issued by this Forum vide Memo No. HERC/EO/1155-59 dated 19.08.2026. The said communication had specifically taken note of the persistent non-cooperation, non-production of primary records, successive unsubstantiated issues, and delay tactics adopted by certain officers and officials of the respondent-Nigam, which had repeatedly necessitated requests for extension of time.

The Chairman, Corporate CGRF, UHBVN, informed the Forum that all concerned officers and officials of the High Level Committee have been directed to attend his office today itself for the purpose of finalising the recoverable amount in accordance with the orders of this Forum. The learned counsel for the appellant apprised the Forum that he is also about to join the said meeting as directed.

This Forum has taken serious note of the continued deliberate delay, non-submission of complete information, and the lackadaisical attitude exhibited by certain officers and officials of the respondent-Nigam despite repeated opportunities, specific time-bound directions, and the constitution of a High Level

Committee. Such conduct is inconsistent with the statutory obligations of the licensee under the Electricity Act, 2003, the Haryana Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2014 (as amended), the HERC (Appointment & Functions of Electricity Ombudsman) Regulations.

It is reiterated that the interim directions for determination of the precise, audited, and legally sustainable quantum of recoverable arrears were issued in the interest of justice and at the instance of the appellant himself, so as to enable a transparent and final adjudication of the dispute relating to release of a new connection on the premises in question.

Directions:

In continuation of the previous interim orders (particularly those dated 17.03.2026, 20.04.2026, 19.06.2026 and 10.07.2026) and the communication dated 19.08.2026, and with a view to bringing the prolonged proceedings to a logical conclusion, the following directions are issued:

1. The Chairman, Corporate CGRF, UHBVN, Panchkula, shall ensure that the precise recoverable amount, duly supported by calculations, authentic records, and confirmation of all members of the High Level Committee as well as other relevant stakeholders, is finalised without further delay. The Managing Director, DHBVN, Hisar, has already been requested to spare the concerned officers until the assigned task is completed.
2. The Chairman, Corporate CGRF, shall also identify and intimate to this Forum the names and designations of any delinquent officers, section heads, or officials who, even at this stage, continue to adopt delaying tactics, raise successive excuses, or fail to extend full cooperation, so that appropriate recommendations for imposition of heavy costs and initiation of disciplinary proceedings for dereliction of duty and making a mockery of the quasi-judicial process under the Electricity Act, 2003, may be considered.
3. The Chairman, Corporate CGRF, UHBVN, has assured the Forum that the work shall be completed as directed. Accordingly, the comprehensive report of the High Level Committee, duly prepared, signed by all its members, and accompanied by all supporting documents and calculations, shall be submitted to this Forum on or before 25.08.2026, without fail. No officer or official associated with the exercise shall be relieved until the report is finalised to the satisfaction of the Committee.
4. A copy of the said report shall simultaneously be shared with the respondents, the counsel for the respondents, and the counsel for the appellant.
5. Both parties shall file their respective written submissions/replies on the report on or before 04.09.2026.

The matter is listed for final arguments on 07.09.2026 at 11:00 A.M. through VC. All concerned parties, their authorised representatives, and counsel are directed to remain present and be fully prepared.

It is made abundantly clear that the matter has already been unduly delayed on one pretext or another. No further adjournment shall be granted. The parties are expected to cooperate in good faith so that the appeal may be finally disposed of in accordance with law.

In the event of non-appearance, the proceedings shall be taken ex-parte.

- BB.** On 25.08.2026, Chairman, CGRF, UHBVN has submitted Comprehensive Final Report of the High Level Committee regarding Appeal Case No. 51/2025 filed by Sh. Karam Chand Gogia before the Hon'ble Electricity Ombudsman, HERC, Panchkula which is as under: -

The High Level Committee, constituted under the directions of the Hon'ble Electricity Ombudsman, HERC, has undertaken a detailed examination of the matter with the objective of placing before the Hon'ble Ombudsman a clear, factual and self-explanatory report. The Committee has considered the relevant records, billing details, documents furnished by the concerned office of DHBVN as well as the material placed on record by the Appellant. Particular attention has been given to the period from January 2006, when the charging commenced, up to June 2011, when the PDCO was effected, so as to arrive at the correct and final position regarding the charges payable.

The Committee has endeavoured to reconcile the amounts raised, the payments already made by the consumer and the records maintained by the Nigam, and to identify any discrepancies requiring verification. The present report is accordingly prepared in continuation of the report submitted by the Committee on 21.08.2026, in a transparent and comprehensive manner, based on the available record and verified facts, with a view to assisting the Hon'ble Electricity Ombudsman in arriving at a just and appropriate conclusion. The Committee has also directed the concerned officers to verify and duly account for the payments claimed by the Appellant, including the amount of Rs. 25,42,673/-, so that the final position may be placed before the Hon'ble Ombudsman without any ambiguity or deficiency.

Clarification Regarding the Report Signed on 21.08.2026

It is clarified at the outset that the report signed by the members of the High-Level Committee on 21.08.2026 at about 2:40 p.m. was

prepared and signed in the course of the Committee's proceedings, at a time when certain members were required to leave to catch their scheduled train. Consequently, certain observations, figures and/or portions of the report required further verification, elaboration and reconciliation before the report could be treated as the final and conclusive report of the Committee. The signatures on the said report, therefore, may not be construed as an unconditional acceptance of every observation or conclusion contained therein, particularly in respect of matters which were subject to verification or further consideration.

It is further clarified that, immediately thereafter, the Chairman, Committee issued a written clarification bringing the relevant aspects to the notice of the concerned officers and expressly requiring that the final report to be submitted before the Hon'ble Electricity Ombudsman be made self-explanatory, complete and supported by the relevant facts and figures. The said clarification also specifically directed verification and proper accounting of the payments claimed to have been deposited against the account of Sudarshan Gogia, including the amount of Rs.25,42,673/-. Accordingly, the present report is to be read in continuation of, and in light of, the aforesaid clarification and subsequent verification, and represents the Committee's considered position after taking into account the material and records available on record.

The report is as under:-

1. Smt. Sangeeta Gogia was the owner of the premises where electric connection was given in the name of Sh. Sudershan Gogia (Brother-in-Law) bearing Account No. BSM2-30 (New Account No. BR41-0152) with connected load of 49.930 KW under LT Industrial Category where the work of preparation of auto parts was being carried out.
2. Smt. Sangeeta Gogia made the lease deed in favour of Smt. Sangeeta Malik W/o Sh. Mohit Malik R/o 4, Civil Lines, (First Floor) Gurugaon vide Registered Lease Deed Dated 30.10.2003. As such, Smt. Sangeeta Malik was a user of electric connection which was in the name of Sh. Sudershan Gogia bearing Account No. BMS2-30 (New Account No. BR-41-0152). Smt. Sangeeta Malik was utilizing the electricity from the aforesaid connection for carrying out industrial activity over the leased premises in the name of M/s. S.M. Machines and payment of electricity bill was being paid to the Nigam by her.
3. The meter got defective on 26.09.2005 and the same was supplied by the user/consumer on 18.10.2005 and testing fee thereof was deposited with the Nigam on 20.10.2005.
4. The connection was checked by Xen/Vigilance on 11.01.2006 and found that 126.531 KW load was connected against the sanctioned load of 49.930 KW. The complainant's meter got defective on 26.09.2005 and the same was supplied by the user/consumer on 18.10.2005 and testing fee thereof was deposited with the Nigam on 20.10.2005 but the same was not replaced by SDO/Operation City Sub-Division

No. 1, DHBVN, Gurugaon. The Vigilance Wing directed the Field Staff to replace the meter immediately being found defective. This shows that meter was not replaced by the Sub-Divisional Staff up to 11.01.2006. The M&P Wing also declared the meter as "Defective" showing no display in its report submitted vide Endst. No. 242/46 Dated 24.01.2006.

5. A provisional notice of assessment of Rs. 15,38,957/- was issued on 27.02.2006 to Sh. Sudershan Gogia. The consumer submitted a representation to SDO (OP) City-1, DHBVN, Gurugaon on 01.03.2006 against the said provisional notice issued to him.
6. The Final Notice of order of assessment was passed by SDO (OP) City-1, Gurugaon vide Memo. No. 1314 Dated 09.03.2006 for Rs. 10,57,004/- after ascertaining the load through Clip on meter instead of load depicted on the plate affixed on the machine.
7. Smt. Sangeeta Malik filed a Civil Suit No. 21 of 2008 in the Court of Manvika Banswal, HCS, Hon'ble Civil Judge (Junior Division), Gurugaon against above said notice of Rs. 10,57,004/-, which was decided on 30.04.2013 as dismissed in which decision was given as under:-

"The present suit fails and the same is hereby dismissed."

8. Smt. Sangeeta Malik W/o Sh. Mohit Malik (user of electric connection being Lessee) filed Civil Appeal No. 63 of 2013 on 27.05.2013 in the Court of Sh. Vikram Aggarwal, Hon'ble Additional District Judge, Gurugaon and the same was also dismissed on 08.07.2013 in which the decision was given as under:-

"I do not find any merit in the present appeal and the same is hereby dismissed."

9. The connection in the name of Sh. Sudershan Gogia, whose user remained "Smt. Sangita Malik" was transferred from SDO/CCC New Colony Sub-Division, DHBVN, Gurugaon to SDO/CCC Kadipur Sub-Division, Gurugaon during July, 2009. Thereafter, the billing of the above said connection was being carried out by SDO (OP) Sub-Division, Kadipur. As per energy bill payment information supplied by the SDO/Kadipur, the outstanding amount against Sh. Sudershan Gogia was shown as Rs. 978.75 on 16.03.2011. SDO/CCC New Colony Sub-Division, Gurugaon reported to SDO/CCC Kadipur Sub-Division vide Memo. No. 7654 Dated 19.05.2011 regarding transfer of defaulting amount of Account No. BMS2-30 of Rs. 45,63,890/- which was charged in his account on 19.05.2011 through SC&AR No. 398/162R. Accordingly, on account of non-payment of outstanding dues, the PDCO of Account No. BMS2-30 was issued on 02.06.2011 vide PDCO No. 106712/11-12". The SDO/Operation Sub-Division, Kadipur requested to M&P Division, Gurugaon for effecting the PDCO due to non-payment of the bill. The M&P Wing checked the premises on 27.06.2011 and directed that meter and CT should be sent to the M&T Lab. for checking the accuracy of the same. Also no final reading of the meter was recorded by M&P Wing. The Xen./M&P Divn., Gurugaon reported to the High Level Committee duly constituted by Hon'ble Electricity Ombudsman, HERC, Panchkula

vide his Memo. No. Ch. 128/City Divn./DRG-1 Dated 26.06.2026 that no entry pertaining to the receipt or testing of the same meter and CT could be traced out. The report of Xen./M&P Divn., Gurugaon Dated 14.07.2026 and 28.07.2026 are enclosed at Annexure- R-1. However, Junior Engineer (OP) of Sub-Division, Kadipur recorded the final reading on the PDCO as 25422 KWH.

10. A notice was issued in the name of Sh. Sudershan Gogia for making the payment of Rs. 52,05,315/- including surcharge amount of 6 months after effecting of PDCO, vide SDO/CCC Kadipur Sub-Division Memo. No. 1296 Dated 17.06.2013 on outstanding dues of Rs. 45,63,890/-, which was reported by SDO/CCC New Colony, Sub-Division, Gurugaon vide Memo. No. 7654 Dated 19.05.2011.
11. Further reminder was issued to Sh. Sudershan Gogia on 02.03.2015 vide Memo. No. 4096 for transferring the above said amount in the Account No. BR41-0150 in the name of Smt. Poonam Gogia without further notice being the said connection falls in the same premises. The said amount was transferred in the name of Smt. Poonam Gogia in her Account No. BR41-0150 during March, 2015, as no reply to the notice was given by Sh. Sudershan Gogia even after affording him due opportunity.
12. Smt. Poonam Gogia filed a Civil Suit No. 150/2015 in the Hon'ble Court of Sh. Ramesh Chander, Additional Civil Judge, (Sr. Division), Gurugaon which was decided on 29.08.2023 in favour of the Nigam and suit of the Plaintiff was dismissed.
13. Smt. Poonam Gogia filed a Civil Appeal No. 75 of 05.09.2023 before Sh. Sunil Kumar Dewan, Hon'ble Additional District Judge, Gurugaon against order Dated 29.08.2023 in Civil Suit No. 150/2015 dismissed on 05.10.2023.
14. The connection of Smt. Poonam Gogia was disconnected on 04.09.2023 vide PDCO No.: 2067500367 due to non-payment of Rs. 2,35,25,315/-. The official of the SDO/Operation Sub-Division, Kadipur submitted the details of the said outstanding amount in which it is intimated that the total current energy bill from March, 2015, when the outstanding amount was transferred related to the connection of Sh. Sudershan Gogia to Smt. Poonam Gogia till the date of disconnection, was Rs. 50,18,830/- and total payment made thereof was of Rs. 42,90,399/-. So, Rs. 7,28,431/- is outstanding against the energy charges in the name of Smt. Poonam Gogia bearing Electricity Account No. BR41-0152. As such, rest of the amount excluding above said current bill Rs. 1,85,06,485/- is related to the amount of Rs. 52,05,315/- charged as per SDO/CCC Kadipur Sub-Division, Gurugaon Notice Dated 02.03.2015 sent to Sh. Sudershan Gogia husband of Smt. Poonam Gogia in her electric connection bearing Account No. BR41-0150 being of same premises. The outstanding amount against energy bill of the connection of Smt. Poonam Gogia bearing Account No. BR-41-0150 reported by SDO (OP) Sub-Divn. DHBVN, Kadipur vide his Memo. No. : 5645 Dated 14.07.2026 is attached at Annexure-R-2.
15. Smt. Poonam Gogia filed complaint before Corporate CGRF, DHBVN, Gurugaon on 23.01.2024 which was decided on 23.05.2024. The DHBVN authorities filed CWP No. 24804/2024 before Hon'ble Punjab and Haryana High Court, Chandigarh

against the judgment passed by the Corporate CGRF, DHBVN, Gurugaon on Dated 23.05.2024 vide Case No. 24804 of 2024.

16. Smt. Poonam Gogia filed a CWP No. 6809/2025 before Hon'ble Punjab and Haryana High Court, Chandigarh against order passed on Dated 05.10.2023 by Hon'ble Distt. Courts, Gurugaon.
17. Sh. Karam Chand Gogia filed a complaint before Corporate CGRF, DHBVN, Gurugaon vide Case No. 4960/2025 for seeking electricity connection being as the Plaintiff become owner of the property in possession of half share of agriculture land bearing Rect. No. 5, Killa No. 18/2, measuring 2 Kanal, 9 Marla situated within the revenue estate of Village Kadipur Tehsil and Distt. Gurugaon on 27.03.2025 in the Court of Civil Judge Sr. Divn. Gurugaon under Suit for Declaration of compromise of Family Settlement which was decided to dispose of the complaint on 17.11.2025.
18. Sh. Karam Chand Gogia filed an appeal before Hon'ble Electricity Ombudsman, HERC, Panchkula vide Appeal No. 51/2026 on 29.12.2025 against the order passed by the Corporate CGRF, DHBVN, Gurugaon Dated 17.11.2025 in case of 4960/2025.
19. The Hon'ble Electricity constituted the High-Level Committee in order to put an end to this avoidable controversy and to arrive at the exact quantum of recoverable arrear pertaining to the premises in question in a transparent, accountable, and legally sustainable manner vide Interim Order Dated 20.04.2026.
20. Thereafter reference was made to all the High Level Committee Members to attend Meeting at Panchkula on 29.04.2026 at 2.00 p.m. in which Xen./CBO remained absent without any intimation or reference. However, rest 4 nos. Officers/official attended the same. In that meeting the necessary direction was issued to Sh. Rajesh Kumar, Commercial Assistant O/o SDO/CCC Kadipur Sub-Division, Gurugaon was directed to submit the complete record connected with the case so as to arrive at a conclusive stage. Further references were made to the concerned offices for getting the relevant record, copy thereof was also sent to your office for intimation in between. This office had also to approach to your good office when some of the key data was not provided by the concerned Office(s) and on your intervention in the matter, some of the record was provided by the concerned Office as per direction of Worthy Director/Operation, DHBVN, Gurugaon in view of Interim Order passed by your goodself Dated 19.06.2026.

FINDING ON THE BASIS OF RECORD MADE AVAILABLE IS GIVEN HEREUNDER:-

1. That after issue of final notice of Assessment to the tune of Rs. 10,57,004/- by SDO (OP) City-1 Sub-Divn., Gurugaon Dated 09.03.2006, the Audit Party raised Half Margin of Rs. 10,33,852/- in addition to the above said amount of Rs. 10,57,004/, vide No. 35 Dated 21.04.2006 in view of Sales Circular No. D-43/2005. In the Half Margin, the Audit has taken the following points while deciding the charging of Rs. 1033852/- :-

- (i) Units calculated as per formula mentioned in Sales Circular D-43/2005 (Load x Power Factor x Number of hours x number of days), for the period 07/2005 to 12/2005 – The rate of per unit was taken as Rs. 4.09 as per rate of HT Category. Further units are calculated by taking 20 hours running per day.
- (ii) 25% LT Surcharge and 25% MDI (Maximum Demand Indicator) was also levied for preceding 6 months.
- (iii) Rs. 70 per KW on enhanced load (Checked load - sanctioned load) i.e. 77 KW for 6 months.

The copy of the Half Margin No. 35 Dated 21.04.2006 is attached at Annexure-R-3.

HALF MARGIN CHARGING DETAIL:-

As per Sales Circular No. D-43/2005, there are two categories of charging under LT Industry Supply

(a) Where no change of category is involved:-

Rs. 70 KW or part thereof shall be charged for preceding 6 months and shall be continued to be charged till the excess load is got regularized or intimation regarding removal of excess load through test report is submitted.

(b) When Category is changed i.e.

- (i) Load is found above 70 KW in case of sanctioned load is between 50 KW to 70 KW.

The consumer shall be charged HT Tariff for that month with LT surcharge @25% along with penalty for unauthorized load @ Rs. 70 per KW for LT Industry only for that month. The MMC shall also be worked out on the extended load.

- (ii) Load is found above 50 KW in case his sanctioned load is less than 50 KW.

If there is a change of category from LT to HT due to unauthorized extension in load recorded by the Maximum Demand Indicator, on first default, he will be allowed to remove the unauthorized extended load, on payment of Rs. 70 KW for LT Industrial Category only for that month. The MMC shall also be worked out on the total load.

On the subsequent default within 12 months, if load is found to have exceeded 50 KW, the consumer shall be charged Rs. 70 KW or Rs. 100 per KW for that month and will also have to exercise either of two options as mentioned below:-

1. To convert his supply on HT within 30 days.
2. To accept his connected load as 70 KW minimum so as to treat the connection as HT Category connection having his contact demand as 70 KW with supply on LT and continued to be billed accordingly (i.e. 25% LT

surcharge extra on SOP). Difference of ACD and Service Connection Charges @ 1.5 times will also be charged.

In view of the above, the consumer is covered under [b(ii)] i.e. change of Category from LT to HT Category having load found more than 50 KW and sanctioned load is less than 50 KW as per Sales Circular No. D-43/2005. The copy of Sales Circular D-43/2005 is attached at Annexure-R-4.

In this case, Audit had charged 25% LT surcharge and 25% MDI Penalty were taken while preparing the Half Margin but there is nowhere mentioning in the Sales Circular D-43/2005 to charge the above parameter for

preceding 6months from the date of checking. As such, the amount of Half Margin charged is not according to the instructions of the Sales Circular No. D-43/2005.

As per Sales Circular D-43/2005, the following points are applicable for computation/calculation of assessed units and charges thereon.

i) Period of Assessment

The period of Assessment should be taken from preceding 6 months from the date of checking/inspection.

ii) Quantity of units consumed per month shall be worked out as per formula
 $KW \times LF \times H \times D$

KW :- Checked Load

LF (Load Factor):- 0.8

H :- Running hours

D :- 25 days in a month

iii) Computation of assessed amount

The assessment of quantity in units shall be charged at a rate equal to one and half time. The tariff applicable for the relevant category after deducting the consumption recorded by the meter during such period of assessment.

iv.) On first default, the payment of Rs. 70/- per KW for LT Industries, only for that month.

v.) The MMC (Monthly Minimum Charges) shall also be worked out on the total load.

The High Level Committee Members during the meeting held on 08.07.2026 at 11.00 at Panchkula were of the opinion that Half Margin is not prepared as per Sales Circular D-43/2005 but they hesitated to compute the exact amount against Half Margin as per instructions of the Nigam, with the reasons best known to them and also side by side preferred that the same should be got finalized through Chief Auditor, DHBVN, Hisar as per Sales Circular No. D-43/2005. Accordingly, the matter was referred to the Chief Auditor, DHBVN, Hisar vide Memo. No. : Ch. 47/Interim

Order/ SDO/Kadipur/DHBVN/Gurugaon Case Dated 08.07.2026 through E-mail at 6.50 p.m. for sending the requisite report within 10 days. The copy of the same is attached at Annexure-R-5. During the hearing of the case held in the O/o Hon'ble Electricity Ombudsman, HERC, Panchkula through Video Calling, the next date of hearing was fixed for 29.07.2026. The Chief Auditor, DHBVN, Hisar was again requested on 21.07.2026 for submission of requisite report well before 27.07.2026 vide Memo. No. Ch. 60/ Interim Order/ SDO/Kadipur/DHBVN/Gurugaon Case. Since the above said report was not received, then again this office had taken up the matter with Hon'ble Electricity Ombudsman, HERC, Panchkula apologizing for delay and grant more time for to submit the same. Accordingly, the date for hearing the case was postponed for 21.08.2026 at 11.00 a.m. Then Chief Auditor, DHBVN, Hisar was requested vide Memo. No. Ch. 67/ Interim Order/ SDO/Kadipur/DHBVN/Gurugaon Case Dated 30.07.2026 to depute Sr. A.O. from his office in order to examine the Half Margin on account of queries raised by the High Level Committee and also for submission of report thereon. But on 05.08.2026 when Sh. Bijender Kadian, Sr. A.O. who was deputed by the Chief Auditor, DHBVN, Hisar while attending the meeting at Panchkula had admitted verbally before the undersigned that the Half Margin No. 35 Dated 21.04.2006 was not correct as per Sales Circular No. D-43/2005. He requested the undersigned to grant time to submit the report through the Chief Auditor, Hisar within 3 days. The report related to charging of Half Margin amount received from the Chief Auditor, Hisar on 11.08.2026. Thereby it took more than one month for its submission. In his report he had mentioned that "in the absence of original record, no conclusive or accurate re-calculation of the Half Margin amount can be carried out". He further stated that if the requisite record is made available by the concerned Sub-Divn. at any stage, the amount shall be re-calculated. The Sr.A.O. O/o Chief Auditor, Hisar had requested the SDO/Kadipur to supply the following data in order to re-calculated the Half Margin amount exactly:-

1. Consumption (New/Old reading) for the period 01.06.2005 to 01.01.2006 with recorded MDI of Account NO. BR-41/0066 in the name of Sh. Sudershan Gogia.
2. M&P Checking report for the financial year 2005-2006.

The report against Point No. 1, as above, was not available with SDO/Kadipur. However, the copy of M&P Report, as per Point No. 2, was supplied by SDO/Kadipur vide his Memo. No. 5639 Dated 10.07.2026.

Then a meeting of all the Committee Members was called for on 17.08.2026 in the Conference Hall of Vidyut Sadan, UHBVN, Kurukshetra. After thorough and lengthy discussions held on that day, the copy of electricity bills issued by DHBVN for the period Jan. 2005 to 01.01.2026, showing data of recorded MDI in the name of Sh. Sudershan Gogia, were received from the Appellant through his Counsel, were decided to be sent to the Chief Auditor, Hisar for obtaining his final conclusive report on the Half Margin charging. The data required by Sr.A.O. related to previous period from the date of checking in the shape of electricity bill was sent to the Chief Auditor,

Hisar on the same day vide Memo. No. Ch. 75/Interim Order/SDO/Kadipur/DHBVN/Gurugaon Case for re-calculation of the Half Margin. But nothing has been received till date i.e. 25.08.2026 from the Chief Auditor, Hisar. It has been established from the above that the Chief Auditor, Hisar does not want to re-calculate/charge the amount even after supply of requisite data, which is a matter of grave concern. Hence, the re-calculation of the basis of material facts on record has been done at the level of undersigned as under:-

From the consumption record it is seen that 18845 units were taken as Average for one month. Thereby average consumption of units per day comes to 628. So if the premises is taken as running for 1 hour, the unit consumption about 50 units. As such, running of factory is about 12.5 hours per day. In order to safeguard the interest of the Nigam, the running hour may be taken 20 hours per day instead of 12 hours, as mentioned in the Sales Circular D-43/2005. In this way, the total amount to be charged comes to the tune of Rs. 12,43,309/-.

The detailed report thereof is annexed at R-6.

The billing part against Account No. BMS2-30 in the name of Sh. Sudershan Gogia is as under:-

The billing detail against Account No. BMS2-30 from 01/2006 to the date of PDCO i.e. 02.06.2011 is given as under, as provided by the Sub-Division with multiplying factor as 20.

Month	Old Reading	New Reading	Units difference	Taken as per Billing	Units to be taken for billing	Payment made	Remarks
Jan-06	7342	0	19487	0		0	Being meter replaced in 01/06 after checking i.e. 11.01.2006
Feb-06	0	631	12620	19487	12620	0	
Mar-06	631	1666	20700	19487	20700	200000	
Apr-06	1666	2667	20020	19487	20020	91534	
May-06	2667	3401	14680	19487	14680	90000	
Jun-06	3401	4202	16020	19487	16020	88655	
Jul-06	4202	5106	18080	19487	18080	88716	
Aug-06	5106	5895	15780	19487	15780	88481	
Sep-06	5895	6556	13220	19487	13220	86988	
Oct-06	6556	7333	15540	19487	15540	86566	
Nov-06	7333	8243	18200	19487	18200	80726	
Dec-06	8243	8910	13340	19487	13340	59193	
Jan-07	8910	9441	10620	10620	10620	48561	
Feb-07	9441	9865	8480	8480	8480	0	
Mar-07	9865	10103	4760	4760	4760	0	
Apr-07	10103	11175	21440	21440	21440	24000	

May-07	11175	11987	16240	16240	16240	80342	
Jun-07	11987	12258	5420	5420	5420	26278	
Jul-07	12258	365	0	0	20845	0	Meter was changed
Aug-07	20845				20845		Aug. 2007 to May, 2009 record was not made available by the Sub-Divn.
Sep-07	20845				20845		
Oct-07	20845				20845		
Nov-07	20845				20845		
Dec-07	20845				20845		
Jan-08	20845				20845		
Feb-08	20845				20845		
Mar-08	20845				20845		
Apr-08	20845				20845		
May-08	20845				20845		
Jun-08	20845				20845		
Jul-08	20845				20845		
Aug-08	20845				20845		
Sep-08	20845				20845		
Oct-08	20845				20845		
Nov-08	20845				20845		
Dec-8	20845				20845		
Jan-09	20845				20845		
Feb-09	20845				20845		
Mar-09	20845				20845		
Apr-09	20845				20845		
May-09	20845				20845		
Jun-09	20845				20845		
Jul-09	0	20389	69200	0	20845	0	M&P Checking Dt. 14.07.2009 at reading 21653 recorded
Aug-09	0	20389		0	43920	0	Final Reading 25422 (25422-21653) x M.F. 20 = 75380 units
Sep-09	20389	23849		69200		7775	
Oct-09	23849	24846	19940	19940	19940	169564	
Nov-09	24846	25422	11520	11520	11520	160000	
Dec-09	25422		0		0	0	
Jan-10	25422		0		0	0	
Feb-10	25422		0		0	0	
Mar-10	25422		0		0	0	
Apr-10	25422		0		0	0	
May10	25422		0		0	0	
Jun-10	25422		0		0	0	
Jul-10	25422		0		0	0	

Aug-10	25422		0		0	0	
Sep-10	25422		0		0	0	
Oct-10	25422		0		0	0	
Nov-10	25422		0		0	0	
Dec-10	25422		0		0	0	
Jan-11	25422		0		0	0	
Feb-11	25422		0		0	82079	
Mar-11	25422		0		0	0	
Apr-11	25422		0		0	326124	
May-11	25422		0		0	0	
Jun-11	25422		0		0	0	
Total					791665	18,85,582	

The billing from 01/2006 to 12/2006 by taking 19487 units per month even after replacement of meter during 01/2006. So units 233844 (19487 x 12) was taken whereas reading in the month of 12/2006 was taken 8910. As such, 178200 unit {Final Reading i.e. 8910 units and Initial Reading taken as "0" with Multiplying Factor 20} should be taken. Therefore, 55644 units (23844 - 178200) units was excess charged from 01/2006 to 12/2006.

Thereafter, billing was done on actual units consumed up to 06/2007.

The meter was replaced in 07/2007. This meter recorded reading as 25422 in 11/2009 and thereafter no change in the reading of the meter was recorded till the date of PDCO i.e. 02.06.2011. During the period 08/2007 to 06/2009, no record related to billing/payment made by the consumer has been made available to the Committee by the Sub-Division. However, the M&P Wing, Gurugaon checked the premises on 14.07.2009 and found meter slow by 66.66%. The reading was recorded on that day as 21653 and fault of slowness of meter was also set right on the spot.

The final reading recorded in Nov. 2009 as 25422. So units consumed from 14.07.2009 to 11.11.2009 i.e. (120 days) found 75380 units. So average monthly consumption comes out 18845 units. Since the record is not available from Aug. 2007 to May, 2009 and in view of slowness of meter, so average of 18845 be taken from 07/2007 to 07/2009.

The billing detail observed is attached at Annexure-1. The calculation of billed amount is correct as Rs. 39,67,644/- out of which Rs. 21,33,008/- was deposited by Sh. Sudershan Gogia/user i.e. (Smt. Sangeeta Malik, Prop. S.M. Machines), as expedited by SDO/Kadipur vide his Memo. No. 6051 Dated 24.08.2026. The copy of letter is annexed as R-7.

The total payment thereby has been made against Account No. BMS2-30 shown as Rs. 1885582/- + Rs. 247426/- = 21,33,008/-, as per record provided by the Sub-

Division. But it is also a fact that complete billing/payment made by Sh. Sudershan Gogia/user has not been provided to the Committee by the Sub-Division.

A reference was made to the Advocate engaged by the Appellant (Sh. Karam Chand Gogia) on 06.07.2026 to attend the Corporate CGRF, UHBVN, Panchkula on 08.07.2026 and in context to that the Advocate engaged by the Appellant (Sh. Akshay Gupta) has sent e-mail Dated 08.07.2026

requesting therein to the High Level Committee that at least one week time may be granted to him to submit the documentary proof of the payments made by Sh. Sudershan Gogia and Smt. Sangeeta Malik (user - Prop. of S.M. Machines) in respect of the concerned electricity connection and premises, as the transactions pertain to a considerably old period, the relevant records are not readily available and he is in process of obtaining the necessary documents from the concerned Bank and other relevant sources. However, the Advocate has provided the Bank Statement of M/s. S.M. Machines on 21.08.2026 in which he has expedited the total amount deposited as Rs. 25,42,673/- through various cheques issued by Smt. Sangeeta Malik on behalf of S.M. Machines against payment of Electricity Bills against Account No. BMS2-30.

After perusal of the record submitted by SDO (OP) Sub-Division, DHBVN, Kadipur the final amount is outstanding against the electric connection in the name of Sh. Sudershan Gogia bearing Account No. BMS2-30/BR41-152 is as under:-

- i. The calculation of billed amount as per High Level Committee report comes out to the tune of Rs. 39,67,644/- bearing Electricity Connection No. BMS2-30 (BR-41-0066 & BR41-0152).
- ii. The total chargeable amount against Half Margin No. 35 Dated 21.04.2006 has been calculated as Rs. 12,43,309/-.
- iii. Rs. 7,28,431/- becomes chargeable against the energy charges in the name of Smt. Poonam Gogia bearing Electricity Account No. BR41-0152. Thereby, the total outstanding amount chargeable comes out to the tune of Rs. (39,67,644+12,43,309+7,28,431 = Rs. 59,39,384/-).
- iv. As per record available with SDO/Kadipur and expedited by him vide his Memo. No. 6051 Dated 24.08.2026, Rs. 21,33,008/-, stands deposited by Sh. Sudershan Gogia/user i.e. (Smt. Sangeeta Malik, Prop. S.M. Machines).
- v. The Appellant has provided the Bank Statement of M/s. S.M. Machines on 21.08.2026 in which he has expedited the total amount deposited as Rs. 25,42,673/- through various cheques issued by Smt. Sangeeta Malik on behalf of S.M. Machines against payment of Electricity Bills related to Account No. BMS2-30.

SDO/Kadipur vide this Office Memo. No.: Ch. 82/Interim Order/SDO/Kadipur/DHBVN/Gurugaon Case Dated 21.08.2026 was

directed to verify the detail of the payments deposited by M/s. S.M. Machines to the tune of Rs. 25,42,673/-. So amount deposited after due verification may be deducted from his total outstanding amount, as mentioned above. Further, ACD amount deposited, if any, against Account No. BMS2-30 (BR-41-0066 & BR41-0152) in the name of Sh. Sudershan Gogia and Electricity Account No. BR41-0152 in the name of Smt. Poonam Gogia may also be considered against deposit. The Bank statement of Rs. 25,42,673/- supplied by the counsel of the Appellant is attached herewith as Annexure R-8.

CC. On 26.08.2026, office has sent a letter to Chairman, CGRF, UHBVN which is as under:-

Please refer to the subject cited above and to the report of the High Level Committee chaired by you, submitted before this Forum in compliance of the interim orders passed in the above-noted appeal.

1. As you are aware, the High Level Committee was constituted by this Forum *vide* interim order dated 20.04.2026 with a singular and well-defined mandate-to determine the precise, reconciled, duly audited and legally sustainable amount of recoverable arrears in respect of the premises in question, so as to enable final adjudication of the appeal. Thereafter, on your own requests and assessments of time, this Forum granted repeated extensions-*vide* interim orders dated 19.06.2026, 10.07.2026 and 21.08.2026- and all requisite records, coordination meetings and cooperation of the officers of the respondent-Nigam were directed to be made available to the Committee. Sufficient and ample time has, therefore, already stood granted for the completion of this exercise.
2. This Forum has carefully perused the report now submitted. It is observed with serious displeasure that despite availing such extended time, the report is not conclusive. The very object for which the Committee was constituted remains unfulfilled, inasmuch as:
 - (i) the report does not state a clear-cut, final figure of the amount due and recoverable from the premises in question as on date, which was the core and exclusive purpose of the exercise;
 - (ii) the report itself acknowledges that further verification is still required on material aspects, even though sufficient time had already been granted precisely for completing such verification;
 - (iii) instead of a focused determination of the recoverable quantum, an unnecessarily lengthy report has been submitted, which *inter alia* incorporates references to proceedings pending before the Hon'ble High Court that have no bearing on the arithmetical determination of arrears entrusted to the Committee; and
 - (iv) the observations and references so made are liable to create an impression of inconclusiveness, which may mislead the Forum and

result in dismissal of the case for non-finalisation of the amount - neither by the respondent-Nigam nor by the High Level Committee constituted exclusively for this purpose - thereby frustrating the entire proceedings and prejudicing the parties.

3. It needs no emphasis that an inconclusive report, after several months of deliberation and repeated extensions, defeats the mandate of this Forum and amounts to rendering the entire exercise nugatory. The electricity consumer as well as the Nigam have a right to a definite answer; a report which neither quantifies the recoverable dues nor concludes the verification cannot form the basis of a legally sustainable adjudication.
4. In view of the above, you are hereby directed to submit a final, conclusive and self-contained report which shall, without fail within 4 days positively:
 - (i) state the exact, clear-cut amount recoverable from the premises in question as on date, duly reconciled and supported by calculations, authentic records and the confirmation of all members of the Committee;
 - (ii) complete, within the stipulated period, all pending verifications — no further extension on this count shall be entertained;
 - (iii) confine itself strictly to the mandate of determining the recoverable arrears and eschew all extraneous references, including references to pending litigation, which are outside the scope of the Committee; and
 - (iv) be signed by all members of the Committee, with each item of calculation duly supported by legible documents.
5. A copy of the said conclusive report shall simultaneously be shared with the respondents, the counsel for the respondents and the counsel for the appellant.
6. This may be treated as most urgent. Any further failure to submit a conclusive report within the stipulated time shall be viewed very seriously, and this Forum shall be constrained to proceed in the matter on the basis of the material available on record, besides considering appropriate action in accordance with law against those found responsible for the continued non-finalisation of the exercise.

DD. On 27.08.2026, Chairman, CGRF, UHBVN, Panchkula has submitted as under:-

Kindly refer to your Office Memo. No. 2042/EO/HERC/Appeal No.51/2025 Dated 26.08.2026 in connection with the subject cited matter.

As desired, clear-cut, final figure of the amount due and recoverable from the premises in question as on date, is intimated as under for favour of your kind consideration and further necessary action at your level please: -

- i.) The calculation of billed amount as per High-Level Committee report, duly nominated by your good self, comes out to the tune of Rs. 39,67,644/- bearing Electricity Connection No. BMS2-30 (BR-41-0066 & BR41-0152), duly signed by all the High-Level Committee Members and was appended as

Annexure-1 with the report. The billing earlier made against the said premises was not correct at that time and subsequent surcharge thereon. Thus, surcharge on this amount has not been taken at the time of finalization of report.

- ii.) The total chargeable amount against Half Margin No. 35 Dated 21.04.2006 has been calculated as Rs. 12,43,309/-. The Chief Auditor, DHBVN, Hisar has not given his final conclusive report till date even after repeated follow up. It is worthwhile to mention here that the record, which came into existence at the belated stage, which was required for finalization of the said Half Margin, was also provided to the Sr. A.O. O/o Chief Auditor, DHBVN, Hisar through SDO/Kadipur on 17.08.2026. Moreover, all other High-Level Committee Members were not of the unanimous decision in finalizing the same. So the report with independent remarks, with detailed in depth findings, against this point has been added separately please. The Half Margin framed at that time was not according to Sales Circular D-43/2005. Hence, the same has been revised by the undersigned, detail of which is being appended herewith as Annexure-I. However, regarding levy of surcharge on this amount may very kindly be decided at your level as per standing norms please.
- iii.) Rs. 7,28,431/- becomes chargeable against the energy charges in the name of Smt. Poonam Gogia bearing Electricity Account No. BR41-0152 up to the date of disconnection i.e. 04.09.2023. Surcharge on this amount may very kindly be decided as per instruction No. 7.6 of Sales Manual, from the date of disconnection, as intimated above, please.

So above said amount may very kindly be treated as final amount to be recoverable from the said premises.

It is further with regards submitted that all out efforts have been made in this regard in order to arrive at a conclusive exact figure of recoverable amount against the said premises please.

EE. On 27.08.2026, office has sent a letter to Chief Auditor and others which is as under:-

This is regarding the ongoing proceedings of Appeal Case No. 51/2025 pending before this authority.

It has been noted with grave concern from the latest communication dated 27.08.2026 that the final resolution of the financial discrepancies is still hanging due to a clear lack of unanimity, non-cooperation, and independent remarks among the High-Level Committee members. Specifically, the conclusive report on Half Margin No. 35 dated 21.04.2006 (Rs. 12,43,309/-) remains pending from the office of the Chief Auditor, DHBVN, Hisar, despite the necessary records being handed

over on 17.08.2026. This deliberate lingering and failure to produce a unified, audited resolution has over-delayed the case and is viewed very seriously by this authority.

Therefore, you are hereby directed that Chairman of the High-Level Committee and all the concerned officers of the committee to strictly comply with the following directives:

1. **Cross-Verification:** Go through the entire case record very carefully and resolve all independent differences regarding the billed amount of Rs. 39,67,644/- (Connection No. BMS2-30) and the energy charges of Rs. 7,28,431/-.
2. **Final Audit:** The Chief Auditor, DHBVN, Hisar, along with the designated financial and divisional officers, must complete the full and final audit of the revised figures of Half Margin No. 35 under Sales Circular D-43/2005.
3. **Submission Deadline:** The full, final, and mutually agreed upon dated, figures—duly audited and authenticated by all committee members—must be submitted to this office on or before 04.09.2026 alongwith above functionaries at sr. no. 2 & 3.

All the concerned are directed to do the needful in respect of the points pertaining to their respective offices and come fully prepared for the upcoming proceedings if they fail to complete the assigned task within stipulated time period. Take explicit note that the matter must attain absolute finality on 07.09.2026.

No further extensions, independent standard explanations, or delays will be entertained under any circumstances. Any failure to present a singular audited figure by the deadline will be treated as non-compliance with statutory directions, and strict administrative action will be initiated against the defaulting officers.

FF. On 03.09.2026, Chief Auditor has submitted duly Audited, Cross-Verified Figures and Record Verification which is as under:-

Please refer to your office memo no. 2082 HERC/EO/Appeal No. 51/2025/Strict-Notice Dated 27.08.2026 & Chairman, Corporate CGRF, UHBVNL, Panchkula memo no. Spl. 75/ Interim Order/SDO Kadipur/DHBVN/Gurugram dated 17.08.2026 and Ch. 87/ Interim Order/SDO Kadipur/DHBVN/Gurugram dated 17.08.2026 on the above subject.

With reference to above mentioned memo, it is submitted that Sr.AO/Audit, DHBVNL, Gurugram has gone through the record /Calculation as provided by Worthy Chairman, Corporate CGRF, UHBVN, Panchkula. The duly audited, cross-

verified figures and point-wise reply are respectfully submitted below for the kind consideration of the Hon'ble Electricity Ombudsman:

1. Verification of Consumption Calculations (Running Hours):

Due to the non-availability of authentic and complete historical records, the billing calculations had to be prepared on an assumption basis. The Chairman, Corporate CGRF, UHBVN, Panchkula, had evaluated two scenarios: a 12-hour per day supply and a 20-hour per day supply vide his office memo no. Spl-75 dated 17/08/2026.

Upon audit and cross-verification, this office concurs with the 20-hour daily running supply and the calculation is found to be in order.

2. Applicability of 25% LT Surcharge (MDI Penalty):

As per opinion of Audit the 25% LT Surcharge on SOP is applicable as per SC D-43/2005. The Nigam's stance, backed by verified records, is detailed below:

- **Evidence of Continuous Default:** Reverse calculations of Half Margin issued by audit party and official records establish that the consumer's Maximum Demand Indicator (MDI) continuously exceeded the 50 KW threshold both before and after the LL1 checking. Specifically, the MDI was recorded at 51.82 KW for July 2005 and escalated to 126.53 KW for December 2005. These figures perfectly tally with the consumer's bill for July-2005, and LL1 No. 18/2697 dated 11/01/2006.
- **Conclusion:** Since the available data confirms continuous and subsequent defaults over multiple months, the MDI penalty @ 25% of SOP is fully applicable on a continuous subsequent basis, rather than as a one-time single-month charge. It is also appears that the MDI of the meter had not reset during the month July-2005 to Sept.-2005 also the MDI is not recorded on the billing advice, hence shown zero on the bills for the months Oct-2005 to Dec.-2005.

3. Charging of Enhanced Load Penalty:

The proposed calculation by the Worthy Chairman, Corporate CGRF, UHBVNL, Panchkula applied the penalty of ₹70/- per KW on the enhanced load (Connected Load minus Sanctioned Load) for a duration of only one month. However, based on the record verification showing prolonged unauthorized extension prior to the checking date, this office submits that the difference of ₹70/- per KW on the enhanced load chargeable for a period of six (6) months, instead of the single month previously proposed.

The report & calculations submitted by the Sr.AO/Audit, DHBVNL, Gurugram is also attached for your information & further decision please.

Keeping in the view of the facts mentioned above, it is respectfully submitted that the revised, cross-verified calculations and penal charges outlined above compiled in accordance with Sales Circular no. 43/2005 may kindly be taken on record and the appeal may be decided in favour of the Nigam.

GG. On 03.09.2026, office has sent a letter to Chief Auditor which is as under:-

Reference:

1. This Forum's Memo No. 2082 HERC/EO/Appeal No. 51/2025/Strict-Notice dated 27.08.2026.
2. Your office Memo No. CA/RA/IAR-109/838 dated 03.09.2026.
3. Sr. AO/RA, DHBVN, Gurugram Memo No. 2672 dated 02.09.2026.

It is regretted to point out that the spirit and substance of the directions issued by this Forum vide Memo No. 2082 dated 27.08.2026 have not been complied with. The reply received under reference is incomplete, piecemeal and fails to present a singular, mutually agreed, duly audited and authenticated final figure as specifically directed.

Sufficient opportunity has already been granted to the respondent department as well as to the Chairman, Corporate CGRF, UHBVN, Panchkula. Despite the same, no conclusive amount has been finalized till date. The submission now made directly to this Forum is beyond understanding. This Forum is not required to piece together fragmented calculations or reconcile independent remarks of various officers in order to arrive at a final figure. The complete and conclusive figures are required to be placed by the Chairman, Corporate CGRF, UHBVN / the respondent department themselves.

It is further observed that the contentions now advanced were not recorded earlier during the meetings held from time to time by the Chairman, Corporate CGRF, UHBVN with the officers of DHBVN. The matter already stands over-delayed.

You are, therefore, directed to make it convenient to attend the scheduled hearing on 07.09.2026 in person, along with your concerned officer(s)/official(s) as deemed fit, so that the final figure in the matter can be arrived at and the case can be brought to absolute finality.

The directions issued earlier shall be complied with in letter and spirit. No further extension, independent explanation or piecemeal submission will be entertained. Any failure to present a complete, singular and audited figure on the said date shall be treated as non-compliance of statutory directions and will invite appropriate action

HH. On 07.09.2026, Chief Auditor has submitted Duly Audited, Cross-Verified Figures and Record Verification in reference to office memo no. 2108 HERC/ EO/ Appeal No. 51/2005 Dated 03.09.2026 on the above subject sheet which is as under:-

In continuation to this office memo no. CA/RA/109/232 dated 03.09.2026, it is submitted that the relevant record is not available in the concerned sub-division. As such this office concur the calculation amounting to Rs. 12,43,308/- calculated by Chairman, Corporate CGRF, UHBVN, Panchkula.

II. The matter was taken up for hearing as scheduled on 07.09.2026. Counsel for the Appellant was present physically. The counsel for the Respondents, the SDO/OP Sub-Division Kadipur through video conferencing and the Chairman, Corporate CGRF, UHBVN, Panchkula (who is also heading the High-Level Committee constituted under the Interim Order dated 20.04.2026 and subsequent directions) appeared physically.

At the outset, the Chairman, Corporate CGRF, UHBVN, submitted that the Chief Auditor, DHBVN, Hisar, has finalised and concurred with the calculation of the half-margin amount. The details of the relevant bills and energy charges have already been shared with all the parties. Reference in this regard is invited to the communication of the Chief Auditor, DHBVN, Hisar (Memo No. CA/RA/IAR-109/235 dated 07.09.2026), whereby the office of the Chief Auditor has, after examination, concurred with the calculation amounting to ₹12,43,308/- arrived at by the Chairman, Corporate CGRF, UHBVN, Panchkula.

Learned counsel for the Appellant, being engaged in another matter before the Haryana Electricity Regulatory Commission, sought a short adjournment of two days and also requested a copy of the report of the High-Level Committee. The request was considered and allowed in the interest of justice. The Chairman, Corporate CGRF, UHBVN, was directed to ensure that the report (already directed to be shared) is made available to the Appellant's counsel without further delay.

Thereafter, attention of the Forum was drawn to Point No. 2 of the communication of the Chairman, Corporate CGRF, UHBVN (Memo No. Spl-82/Interim-Order/SDO-Kadipur/DHBVN/Gurugram Case dated 17.08.2026), wherein specific directions had been issued for verification of the payments claimed to have been made against the electricity connection(s) in question. Such verification was required to be carried out by the Respondent SDO/OP, Sub-Division Kadipur.

It was a matter of serious concern that the Respondent SDO was not even aware of the said directions. Further, the SDO took the stand that since the figure had been arrived at by the High-Level Committee, the verification work should also be got done through the Committee. This Forum expressed its strong disapproval of the said stand. It was made clear that verification of payments and related records is

the primary statutory and official duty of the SDO concerned as the in-charge of the Sub-Division. The attitude of seeking to shift responsibility onto the High-Level Committee, despite clear directions, is unacceptable and reflects a lack of due diligence and seriousness towards departmental obligations.

Having regard to the previous non-cooperative attitude noticed in the proceedings, the persistent delays, and the need for an accurate, verified and final figure, this Forum deems it appropriate that the final figure be checked, reconciled and verified by the SDO/OP, Sub-Division Kadipur himself. The SDO shall also examine and take into account the applicability of surcharge (if any) on the amount in accordance with the relevant provisions of the Haryana Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2014 (as amended), the DHBVN Sales Manual / Sales Circulars (including Sales Circular No. D-43/2005 where applicable), and Instruction No. 7.6 of the Sales Manual, 2013.

DIRECTIONS

1. The SDO/OP, Sub-Division Kadipur, DHBVN, Gurugram, shall, after due verification of all claimed payments, records and supporting documents, reconcile and finalise the full and final verified recoverable amount (including surcharge, if any, found applicable). The said verified figure, along with a detailed point-wise reply and all supporting documents, shall be submitted to this Forum positively on or before 09.09.2026.
2. The reply / report after due verification by the Respondent SDO shall be submitted through the concerned XEN (Operation), duly notarised, thoroughly checked and authenticated.
3. The Chairman, Corporate CGRF, UHBVN, shall ensure that the complete report of the High-Level Committee (already finalised and concurred by the Chief Auditor) is immediately shared with the learned counsel for the Appellant, if not already done.
4. Both parties shall remain fully prepared with all relevant records in support of their respective claims.

The matter is listed for final adjudication / arguments on 10.09.2026 at 11:00 A.M. in the office of the Electricity Ombudsman, Haryana, Bays No. 33-36, Ground Floor, Sector-4, Panchkula-134109. All parties, their authorised representatives and counsel are directed to remain present.

This Forum records its serious displeasure at the disrespectful and non-cooperative attitude of the SDO/OP, Sub-Division Kadipur, in seeking to shrug off his official responsibility. Any further non-compliance or delay shall be viewed sternly and may invite appropriate action, including imposition of costs under the Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020.

In the event of non-appearance, the proceedings shall be taken up ex-parte.

JJ. On 08.09.2026 counsel of Appellant has submitted as under:

I am writing in connection with Appeal No. 51 of 2025 – Karam Chand Gogia v. XEN/OP City Division, Gurugram & Anr., which was heard before the Hon'ble Electricity Ombudsman, Haryana on 07.09.2026.

During the hearing, the Chairman, Corporate CGRF, UHBVN, submitted that the Chief Auditor, DHBVN, Hisar, had finalised and concurred with the calculation of the half-margin amount of ₹12,43,308/-. The Interim Order records that the concurrence was communicated vide Memo No. CA/RA/IAR-109/235 dated 07.09.2026.

The Hon'ble Electricity Ombudsman has accordingly directed the Chairman, Corporate CGRF, UHBVN, to ensure that the complete report of the High-Level Committee, already finalised and concurred with by the Chief Auditor, is immediately shared with the Appellant's counsel.

In view of the above, you are kindly requested to provide the following documents at the earliest:

1. Complete report of the High-Level Committee relating to the calculation of the half-margin amount;
2. Copy of Memo No. CA/RA/IAR-109/235 dated 07.09.2026 issued by the Chief Auditor, DHBVN, Hisar;
3. Complete/detailed calculation sheet on the basis of which the amount of ₹12,43,308/- has been arrived at;
4. Chief Auditor's concurrence/verification report, including the basis and records examined before recording such concurrence;
5. All relevant bills, payment details, reconciliation statements and supporting documents relied upon for arriving at the said figure; and Annexures R1 to R-8 of the report)
6. The complete ledger/account statement of Smt. Poonam Gogia, including all debits, credits, payments, adjustments, refunds, surcharge/interest, if any, and the closing balance, along with the relevant transaction/payment details.

The ledger of Smt. Poonam Gogia is specifically required to enable proper verification and reconciliation of the payments and departmental records, particularly in view of the direction of the Hon'ble Ombudsman that the claimed payments and records be duly verified and the final figure be reconciled and finalised.

Since the matter is now fixed for final adjudication/arguments on 10.09.2026 at 11:00 A.M., it is requested that the aforesaid documents may kindly be furnished forthwith and, preferably, before the said hearing, so that the Appellant may have

an effective opportunity to examine and respond to the calculation and records relied upon by the Respondents.

This request is being made strictly in terms of the directions recorded in the Interim Order dated 07.09.2026 and for facilitating proper verification of the amount claimed by the Department.

KK. On 14.09.2026, Respondent SDO has submitted final calculation of payable amount in respect A/C No.BMS-2-30 (BR41-0066 & BR41-0152) in the name of Sudarshan Gogia & A/C No.3112270000 in the name of Smt. Poonam Gogia in appeal case No.51/2025 titled as Karamchand Gogia V/S DHBVN which is as under: -.

It is submitted before the Hon'ble Ombudsman that calculation of payable amount in respect of A/C No.BMS-2-30 (BR41-0066 & BR41-0152) in the name of Sudarshan Gogia is attached as Annexure 'A'. In case-1 of calculation surcharge has been levied on penalty of Rs.1243308/- @16% per annum compounded half yearly as per Sales Circular No.43/2005 from 02/2006 to 12/2011. Thereafter, payment made by the consumer ending 06/2011 has been adjusted from the billing charges as determined by the high level committee and from 06/2011 to 12/2011 surcharge has been levied @1.5% compounded monthly. Finally, both of the above amounts ending 12/2021 (penalty plus billing amount after adjustment of payment) has been added.

Further, reference may be made to the instruction No.7.6 of SMI 2013 wherein it has been mentioned: -

If at a later stage either the consumer or any other person applies for re-connection at the same premises, the connection will be given only after payment of following charges:-

- (i) The amount outstanding against the consumer at the time of permanent disconnection plus surcharge thereon till the date of dismantlement of service line or six months from the date of permanent disconnection which ever is earlier.*
- (ii) Interest @ 16% per annum (to be compounded half yearly) on the amount calculated as (i) till the date of realization of the amount.*

Sh. Karamchand Gogia has applied a new electricity connection at this site therefore, the payable amount be calculated as mentioned in Annexure 'A'. The final calculation may be decided by the Hon'ble Ombudsman please.

It is further submitted that the final payable amount in respect of A/C No. 3112270000 in the name of Smt. Poonam Gogia has been calculated as per above procedure and shown as case 1 & Case 2 of Annexure 'B' which may also be decided by the Hon'ble Ombudsman please.

Submitted for your kind information and further necessary action please.

- LL.** The matter was taken up for hearing today, i.e., 15.09.2026. Counsel for the Appellant, counsel for the Respondents, the XEN/OP City Division, Gurugram, the SDO/OP Sub-Division Kadipur, the Commercial Assistant, and the Chairman, Corporate CGRF, UHBVN (who headed the High-Level Committee) were present.

At the outset, this Forum expressed concern over the incomplete compliance of the earlier directions and the vague reply submitted by the XEN/OP City Division vide email dated 14.09.2026.

During the hearing, the following position emerged after detailed discussion:

A. Amounts finalised by the High-Level Committee

1. ₹12,43,309/- (half-margin amount) – specifically concurred by the Chief Auditor, DHBVN, Hisar vide Memo No. CA/RA/IAR-109/235 dated 07.09.2026.
2. ₹39,67,644/-.

These two amounts were crystallised by the High-Level Committee only in August 2026 after prolonged non-availability of complete records.

B. Residual amount liable for surcharge

It was admitted by all present that only the residual amount of ₹7,28,431/- is liable for surcharge. After applying surcharge as per applicable instructions, the recoverable figure against this component stands at ₹11,55,928.45 as on date.

C. Payments already made

An amount of ₹21,33,008/- stands paid by the consumer, as recorded in the High-Level Committee report and confirmed by the SDO/OP Kadipur vide Memo No. 6051 dated 24.08.2026.

D. Claimed additional payments

Counsel for the Appellant has submitted bank statements and certain bills (including random bills of the period 2007–2009) claiming further payments of ₹25,42,673/-. These remain unverified so far.

This Forum has carefully considered Instruction No. 7.6 of the DHBVN Sales Manual, 2013, which is the governing provision on the subject. The said Instruction clearly provides that:

“No monthly surcharge be levied from the date of dismantlement of service line of permanently disconnected consumers or six months from the date of permanent disconnection whichever is earlier.”

It further restricts the recoverable amount on reconnection to the outstanding as on the date of permanent disconnection plus surcharge only for the limited period mentioned above, along with interest @ 16% per annum compounded half-yearly.

The original connection of Sh. Sudarshan Gogia was permanently disconnected on 02.06.2011. The two major amounts of ₹12,43,309/- and ₹39,67,644/- remained unquantified for nearly fifteen years and were finalised only in August 2026. Continuous levy of monthly surcharge on these amounts for such a long period, when the demands themselves were not finalised due to incomplete records, would be contrary to the letter and spirit of Instruction No. 7.6.

Instruction No. 6.10 of the Sales Manual (Payment of an incorrect bill) has also been considered. While it primarily deals with correction of already issued bills, the underlying principle of fair adjustment in cases of erroneous or incomplete billing supports the view that surcharge cannot be allowed to run indefinitely on amounts that remained unfinalized for reasons attributable to the licensee.

DIRECTIONS

In view of the above, and in the interest of justice, the following directions are issued:

1. The Respondents, under the supervision of the XEN/OP City Division, Gurugram, shall, within a maximum period of 10 days from the date of this Order:
 - Cross-verify the claimed payments of ₹25,42,673/- from their own records as well as from the records of the FA/HQ, DHBVN, Hisar; and
 - Examine the Service Connection Register to confirm the date(s) of release of connection and to establish whether only one electricity connection was being paid during the relevant period.
2. After completion of the above verification, the Respondents shall prepare and serve a full and final demand notice on the Appellant reflecting the net recoverable amount after giving due credit for all verified payments (including the already acknowledged sum of ₹21,33,008/-).
3. While computing the final recoverable amount:
 - Surcharge shall be levied only on the residual amount of ₹7,28,431/- (presently working out to ₹11,55,928.45) strictly in accordance with Instruction No. 7.6 of the Sales Manual, and only up to the date of the final notice.
 - No further surcharge shall be levied on the amounts of ₹12,43,309/- and ₹39,67,644/- finalised by the High-Level Committee in August 2026 in consonance with instruction no 6.10 of DHBVN sales Manual.

4. The final demand notice shall be issued under the signatures of the SDO/OP Khadipur, DHBVN, Gurugram, after proper authentication.
5. Counsel for the Appellant shall extend full cooperation to the Respondents for early completion of the verification exercise.

The above directions have been issued after considering the rival submissions, the report of the High-Level Committee, the concurrence of the Chief Auditor, and the governing provisions of the Sales Manual, particularly Instruction No. 7.6 read with the principles of fairness emerging from Instruction No. 6.10.

The matter is listed for further hearing on 29.09.2026 at 11:00 A.M. Both parties shall remain present and be fully prepared.

In the event of non-appearance, the proceedings shall be taken ex-parte.

MM. On 25.09.2026 Respondent SDO has submitted as under:

It is submitted before the Hon'ble Ombudsman that the final payable amount in respect of A/C No. BMS-2-30 (BR41-0066 & BR41-0152) in the name of Sudarshan Gogia has been calculated as per interim order dated 15.09.2026.

Half Margin/Penalty Amount as concurred by Chief Auditor DHBVN, Hisar.	Rs.1243309/-
Billing charges as determined by the High Level Committee constituted in the matter.	Rs.3967644/-
Payments made by consumer as verified as per available record and copy of Bills submitted by the Counsel of the Appellant	Rs 3234059/-
Net Payable amount as on date	Rs.1976894/-

The above amount may be considered by the Hon'ble Ombudsman so that a notice may be served to the consumer for payment of the same.

It is also submitted that the service registers have been examined and it has been found that there exist a connection in the name of S.M Machine Pvt. Ltd. (HT Category) with the remarks that the said connection was transferred from K.C.G Division on 20.07.2009.

NN. The matter was taken up for hearing today, i.e., 29.09.2026, as scheduled. Learned counsel for the Appellant appeared physically. Shri Ishwar Singh Sangwan, Sr. AO/Collection, office of FA/Headquarters, DHBVN, Hisar, also appeared physically. The XEN/OP City Division, Gurugram, the SDO/OP Sub Division Kadipur, the counsel for the Respondents, and the Commercial Assistant appeared through Video Conferencing.

This Forum has, from the inception of the present appeal, observed a consistent pattern of reluctance on the part of the Respondent SDO/OP, Sub Division Kadipur, to discharge his bona fide official duties in a timely and diligent manner. Such approach necessitated the constitution of a High-Level Committee under the Chairmanship of the Chairman, Corporate CGRF, UHBVN, Panchkula, and repeated involvement of senior officers of the Nigam to ensure progress in the matter.

Despite the substantial completion of the reconciliation exercise and the issuance of clear, time-bound interim directions (particularly the detailed Interim Order dated 15.09.2026), the reply submitted by the Respondent SDO vide Memo No. 6290 dated 25.09.2026 has been received. It is a matter of serious concern that neither the Respondent SDO nor the concerned XEN/OP City Division appears to have carefully perused or complied with the specific directions contained in the said Interim Order. The tendency to shift responsibility onto other offices or functionaries, rather than discharging one's own statutory duties, is contrary to the principles of administrative accountability and is detrimental to the effective functioning of the consumer grievance redressal mechanism established under the Electricity Act, 2003.

This Forum records its extreme displeasure at the continued non-cooperative and evasive attitude exhibited by the Respondent SDO. Such conduct impedes the delivery of justice to consumers and undermines the authority of this statutory Forum.

During the hearing, the Respondent SDO informed that out of the claimed additional payments of ₹25,42,673/-, an approximate sum of ₹6,00,000/- still remains to be verified. Learned counsel for the Appellant contended that sequential verification of payments from the available records (including subsequent bills reflecting arrears, if any) should enable verification of the balance amount as well, and offered to provide further supporting records to facilitate the process. Shri Ishwar Singh Sangwan, Sr. AO/Collection, FA/Headquarters, DHBVN, Hisar, confirmed that verification of payments requires production of primary records (CCR books, consumer ledgers, remittance registers, PIS, bank clearance, reconciliation statements, etc.) by the Sub Division office.

This Forum is of the considered view that the recoverable amount against the premises in question has now reached a stage of substantial finalisation. In the interest of justice and to enable final adjudication of the appeal (including the prayer for release of a new connection), it is essential that a full and final demand notice, duly audited, be issued without further delay.

Directions

1. A cost of ₹5,000/- (Rupees Five Thousand only) is hereby imposed upon the Respondent SDO/OP, Sub Division Kadipur, DHBVN, Gurugram, for misconduct

and non-compliance with the directions of this Forum. The said amount shall be deducted from his salary and retained by the licensee in addition to the earlier cost of ₹15,000/- already imposed and directed to be deducted. The Chief Accounts Officer (Pay & Accounts), DHBVN, Hisar, shall ensure compliance and place on record proof of deduction before the next date of hearing.

2. The Respondents, under the supervision of the XEN/OP City Division, Gurugram, shall, **on or before 01.10.2026**, issue a full and final demand notice in respect of the premises in question (Account No. BMS-2-30 / BR41-0066 & BR41-0152 and related accounts), after:
 - Completing verification of the remaining balance of the claimed payments of ₹25,42,673/- (approximately ₹6,00,000/- still pending verification) with the assistance of FA/Headquarters, DHBVN, Hisar, and after considering any further records that the Appellant's counsel may furnish;
 - Incorporating the already crystallised amounts of ₹12,43,309/- (half-margin, concurred by Chief Auditor) and ₹39,67,644/- (as determined by the High-Level Committee);
 - Applying surcharge strictly in accordance with Instruction No. 7.6 of the DHBVN Sales Manual, 2013, only on the residual amount of ₹7,28,431/- (presently quantified at ₹11,55,928.45), and not on the two major amounts finalised only in August 2026;
 - Giving due credit for all verified payments, including the already acknowledged sum of ₹21,33,008/- and any further verified amounts; and
 - Clearly indicating the non-verified component, if any, that remains chargeable as on the date of the notice.
3. The said demand notice shall be duly audited by the competent Audit Wing / Chief Auditor Section of DHBVN and shall be issued under the signatures of the SDO/OP, Sub Division Kadipur, after proper authentication by the XEN/OP City Division, Gurugram. A copy of the audited demand notice, along with the detailed calculation sheet and supporting documents, shall be served upon the Appellant's counsel and filed before this Forum on or before 01.10.2026.
4. The demand notice shall be consistent with the provisions of Regulation 4.3.2 of the Haryana Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2014 (as amended), governing release of connection on sub-divided property / defaulting premises.
5. Upon issuance of the audited demand notice, the Appellant shall be granted a reasonable period of 5 to 7 days to arrange and deposit the quantified amount.
6. The Respondent SDO/OP, Sub Division Kadipur, and the XEN/OP City Division, Gurugram, shall ensure meticulous compliance. Any further non-compliance or delay shall invite additional costs and further action under the Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020.

The matter is listed for further hearing / arguments on 01.10.2026 at 11:30 A.M. in the office of the Electricity Ombudsman, Haryana, Bays No. 33-36, Ground Floor,

Sector-4, Panchkula-134109. All concerned parties, their authorised representatives and counsel are directed to remain present and be fully prepared. In the event of non-appearance, the proceedings shall be taken ex-parte.

OO. On 30.09.2026, Chief Auditor has submitted as under:

As per directions of Interim order dated 29.09.2026 endorsed vide memo no. 2349/EO/HERC/Appeal No. 51/2025 dated 29.09.2026 in the subject cited case, the demand notice supplied by the SDO 'OP' S/Divn. DHBVNL, Kadipur has been audited by the Sr. AO/Audit DHBVNL, Gurugram and submitted to the SDO concerned vide his office memo no. 2699 dated 30.09.2026 (Copy attached) for further necessary action please.

This is submitted for your kind information please.

PP. On 30.09.2026, SDO respondent has sent a notice vide memo no. 6327 to Smt. Poonam Gogia regarding Deposit of Outstanding Electricity Dues in compliance with the Interim Order dated 15.09.2026 and 29.09.2026 passed by the Electricity Ombudsman, Haryana in Appeal No. 51 of 2025 which is as under:-

In this connection, it is intimated that the Hon'ble Electricity Ombudsman, Haryana, vide Interim Order dated 15.09.2026 in the above-mentioned appeal, has considered the outstanding electricity dues pertaining to the connection of Smt. Poonam Gogia and issued directions regarding verification of payments and determination of the net recoverable amount.

As per the said Interim Order, the amount of Rs. 1155928/- has been worked out to payable as on the date of order. Further, as per available record of this office, ACD amount of Rs. 136282/- is adjustable from the above mentioned amount and the total recoverable amount comes out to be Rs. 952195/- ending September 2026.

Accordingly, you are hereby directed to deposit the outstanding/net recoverable electricity dues of Rs. 952195/- (after adjustment of ACD) as determined after giving credit for all duly verified payments.

QQ. On 30.09.2026, SDO respondent vide memo no. 6328 has also sent a notice to Sh. Sudarshan Gogia Regarding Deposit of Outstanding Electricity Dues in compliance with the Interim Order dated 15.09.2026 and 29.09.2026 passed by the Electricity Ombudsman, Haryana in Appeal No. 51 of 2025 which is as under:-

In this connection, it is intimated that the Hon'ble Electricity Ombudsman, Haryana, vide Interim Order dated 15.09.2026 in the above-mentioned appeal, has considered the outstanding electricity dues pertaining to the connection of Sh. Sudarshan Gogia and issued directions regarding verification of payments and determination of the net recoverable amount.

As per the said Interim Order, the net recoverable amount has been worked out as under:

Half Margin/Penalty Amount as concurred by Chief Auditor DHBVN, Hisar.	Rs. 1243309/-
Billing charges as determined by the High Level Committee constituted in the matter.	Rs. 3967644/-
Payments made by consumer as verified as per available record and copy of Bills submitted by the Counsel of the Appellant	Rs. 3461178/-
Net Payable amount as on date	Rs. 1749775/-

Accordingly, you are hereby directed to deposit the outstanding/net recoverable electricity dues of Rs. 1749775/- as determined after giving credit for all duly verified payments.

RR. The matter was taken up for on 01.10.2026. All the parties were present through VC.

SS. On 03.10.2026, counsel of appellant has submitted written submission which is as under:-

1. That the present matter was taken up on 29.09.2026, when this Hon'ble Forum was pleased to issue detailed directions requiring the Respondents to issue a full and final, duly audited demand notice on or before 01.10.2026, after verification of the remaining payments, incorporation of the crystallised amounts, application of surcharge only on the residual amount, and giving credit for all verified payments. The Hon'ble Forum further directed that the demand notice be authenticated by the XEN and duly audited by the competent Audit Wing/Chief Auditor.
2. Pursuant thereto, the Respondent SDO has submitted Memo No. 6327 dated 30.09.2026 in the name of Smt. Poonam Gogia, showing an alleged recoverable amount of ₹9,52,195/- after adjustment of ACD of ₹1,36,282/-. However, the said notice does not constitute compliance with the specific directions of this Hon'ble Forum and suffers from material discrepancies.
3. Similarly the notice vide memo number 6328 dated 30.09.2026 in the name of Sudarshan Gogia for payment of Rs, 1749775.

A. Demand Notice has been issued in the wrong name

3. At the outset, the notice bearing Memo No. 6327 dated 30.09.2026 has been issued in the name of Smt. Poonam Gogia and memo number 6328 dated 30.09.2026 in the name of Sudarshan Gogia, whereas the present Appellant before this Hon'ble Forum is Sh. Karam Chand Gogia. The interim order dated 29.09.2026 specifically concerns the premises/accounts involved in the present appeal.

4. The Respondents have not explained the basis on which the liability of Poonam Gogia has been sought to be fastened/adjusted against the matter pending before this Hon'ble Forum. Therefore, the notice, at the very threshold, requires clarification and cannot be treated as a proper final demand against the Appellant.

B. Incorrect computation/application of surcharge

5. The Respondents have apparently treated the outstanding amount as on September 2023 and have thereafter calculated surcharge/interest from September 2023 onwards up to September 2026.
6. This is contrary to the manner in which the residual amount was required to be dealt with pursuant to the interim order. Once the outstanding amount had been crystallised as on September 2023, the subsequent surcharge calculation ought to commence from the next applicable billing period, i.e. October 2023, subject to the precise applicability of Instruction No. 7.6.
7. More importantly, the interim order specifically directed the Respondents to apply surcharge only on the residual amount of ₹7,28,431/-, presently quantified at ₹11,55,928.45/-, and not on the amounts which were crystallised only subsequently.
8. The final notice, however, merely states that ₹11,55,928/- has been worked out as payable and thereafter adjusts ACD, without furnishing the detailed period-wise calculation demonstrating compliance with the specific direction of this Hon'ble Forum.

C. ACD has not been given due credit in the notice relating to Sh. Sudarshan Gogia

9. The Respondents have also issued a separate notice dated 30.09.2026 in the name of Sh. Sudarshan Gogia, concerning A/c Nos. BR41-0066 & BR41-0152 (old A/c No. BMS-2-30).
10. The said notice calculates:
 - Half Margin/Penalty: ₹12,43,309/-
 - Billing charges determined by High-Level Committee: ₹39,67,644/-
 - Payments verified: ₹34,61,178/-
 - Net payable: ₹17,49,775/-

The notice itself records the verified payments of ₹34,61,178/-.

11. However, the ACD refundable/adjustable amount has not been given credit in the said notice, despite the fact that the Respondents themselves have acknowledged the existence of ACD in the connected account/matter.
12. The Respondents cannot simultaneously retain the ACD lying to the credit of the consumer and demand the entire amount as recoverable dues. The ACD has either to be refunded or duly adjusted against the final recoverable amount, with a clear entry in the calculation sheet.

D. Further payment of approximately ₹3.80 lakh has not been accounted for

13. The Appellant has repeatedly furnished records demonstrating that further payments were made to DHBVN which have not been properly reconciled with the Respondents' ledger.
14. Even the reconciliation statement relied upon by the Respondents contains several payments which have been verified on the basis of bills and bank statements. The statement placed on record records total payments of ₹34,61,178/-, with several entries specifically marked as "Verified as per bill and bank statement."
15. Despite the same, an amount of approximately ₹3.80 lakh remains unaccounted for. The Appellant respectfully submits that the said amount cannot be treated as non-existent merely because it has not yet been reconciled in the internal records of the Respondents.
16. The Appellant is placing/relying upon the relevant bank statements and bills once again for reconciliation. The Respondents may kindly be directed to verify the same from their CCR books, consumer ledger, remittance register, bank scroll/PIS and other primary records, particularly since their own representative before this Hon'ble Forum had stated that verification requires examination of such primary records.

E. Payment of ₹83,752/- reflected in the bill has not been accounted for

17. In addition, the Appellant is placing on record the electricity bill pertaining to 04.08.2008, which reflects payment of ₹83,752/- against the electricity dues.
18. The said payment is required to be reconciled with the Respondents' ledger and bank records. Unless the Respondents establish from their primary records that the said amount was either not received or has already been given credit elsewhere, the same cannot be excluded from the payments made by the consumer.
19. The omission is particularly material because the very purpose of the interim order dated 29.09.2026 was to ensure complete verification of the remaining claimed payments before finalisation of the demand.

F. Final demand is not accompanied by the detailed audited calculation directed by this Hon'ble Forum

20. The interim order specifically required the Respondents to serve the Appellant's counsel with the audited demand notice along with the detailed calculation sheet and supporting documents.
21. The notices presently supplied do not satisfactorily demonstrate:
 - a. the complete opening balance;
 - b. the exact residual principal amount;
 - c. the period-wise application of Instruction No. 7.6;
 - d. the calculation of surcharge from the correct date;
 - e. adjustment/refund of ACD;
 - f. credit of all payments already verified;
 - g. reconciliation of the further payments of approximately ₹3.80 lakh; and

- h. credit of the specific payment of ₹83,752/- reflected in the bill dated 04.08.2008.
22. Therefore, the demand cannot presently be treated as the full and final audited demand contemplated by the order dated 29.09.2026.

PRAYER

In view of the above, it is most respectfully prayed that this Hon'ble Forum may kindly:

- a. Take the present written submissions and documents on record;
- b. Hold that the demand notices dated 30.09.2026, including Memo No. 6327, do not constitute complete compliance with the directions contained in the interim order dated 29.09.2026;
- c. Direct the Respondents to undertake a fresh and complete reconciliation of all payments, including the further payments of approximately ₹3.80 lakh and the payment of ₹83,752/- reflected in the bill dated 04.08.2008, on the basis of primary records, bills and bank statements;
- d. Direct the Respondents to give proper credit/adjustment of the ACD amount in the account of Sh. Sudarshan Gogia before determining the net recoverable amount;
- e. Direct the Respondents to recalculate the surcharge strictly in accordance with Instruction No. 7.6 of the DHBVN Sales Manual, 2013, from the legally applicable date and only upon the residual amount identified by this Hon'ble Forum;
- f. Direct the Respondents to issue a fresh, duly audited and authenticated demand notice, clearly identifying the account holder, principal amount, payments credited, ACD adjustment, surcharge calculation and any amount still remaining unverified;
- g. Grant the Appellant the reasonable period of 5-7 days after service of the corrected audited demand notice, as already directed by this Hon'ble Forum; and
- h. Pass any other order deemed just and proper in the facts and circumstances of the case.

DECISION

1. The Genesis of the Dispute and the Core Issue

- 1.1 The present appeal arises out of the appellant's request for release of a new electricity connection at the premises comprising agricultural land bearing Rectangle No. 5, Killa No. 18/2, measuring 2 Kanal 9 Marla, situated within the revenue estate of Village Kadipur, Tehsil and District Gurugram (hereinafter "the premises in question"). The appellant, Sh. Karam Chand Gogia, is the owner in possession of a one-half share, measuring 1 Kanal 4½ Marla, of the said premises,

having been allotted the same by his brother Sh. Sudarshan Gogia in terms of a compromise arrived at in civil proceedings.

- 1.2 An electricity connection bearing Account No. BMS2-30/BR41-0152 existed at the premises in question in the name of Sh. Sudarshan Gogia, against which substantial defaulting amounts accumulated. The said connection was disconnected on account of non-deposit of the defaulting amount. Thereafter, in the year 2015, a defaulting amount of Rs. 52,05,315/- was transferred by the respondents into the running account of Smt. Poonam Gogia (wife of Sh. Sudarshan Gogia), bearing Account No. BR-41-0150/3112270000, which connection too existed at the very same premises, and which was likewise subsequently disconnected with dues outstanding. In effect, the defaulting amounts, though shifted between the accounts of two erstwhile consumers, have at all times remained fastened to the premises in question.
- 1.3 The core issue that falls for determination, therefore, is not merely the quantum of arrears, but the manner in which the arrears pending against the premises are to be crystallized, notified and recovered, so as to enable the appellant — the owner of a sub-divided portion of the premises — to obtain a new connection in accordance with the Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2014 (hereinafter "the Supply Code").

2. The Statutory and Regulatory Framework

- 2.1 Section 43 of the Electricity Act, 2003 casts a universal obligation upon the distribution licensee to give supply of electricity to the owner or occupier of any premises, subject to the provisions of the Act and the regulations framed thereunder. Simultaneously, the Commission, in exercise of powers under Section 50 read with clause (x) of sub-section (2) of Section 181 of the Act, has framed the Supply Code, which governs, inter alia, the release of new connections where dues stand outstanding against the premises.

- 2.2 Regulation 4.3.2 of the Supply Code (sub-divided property) provides as under:

"Where a property has been sub-divided as per law, outstanding dues for consumption of energy on such undivided property, if any, shall be cleared by the consumer in whose name the connection existed prior to division of the property. A new connection to any portion of such sub-divided premises shall be given only after the outstanding dues, if any, attributed to such un-divided premises are duly paid by the consumer in whose name the connection existed prior to division of property or by any other person on his behalf."

- 2.3 The scheme of the said Regulation is unambiguous: upon lawful sub-division of a property, the outstanding dues attributed to the undivided premises must be cleared before a new connection can be released to any portion thereof, and such

payment may be made by the erstwhile consumer or by any other person on his behalf. The Regulation therefore contemplates a clear, consolidated and legally enforceable demand raised against the premises, so that the person seeking the connection knows with certainty the amount the deposit whereof would entitle him to the release of the connection. Further, Regulation 6.10.4 of the Supply Code mandates that where any amount is found recoverable upon review or audit, a notice shall be served upon the person concerned, enabling him to contest the demand.

3. The Course of Proceedings

- 3.1 This appeal has remained pending since its registration on 29.12.2025 and has been the subject of successive interim orders dated 19.01.2026, 27.01.2026, 19.02.2026, 11.03.2026, 17.03.2026, 20.04.2026, 21.05.2026, 19.06.2026, 10.07.2026, 21.08.2026, 07.09.2026, 15.09.2026 and 29.09.2026. During the course of these proceedings, it emerged that the respondents were not in a position to reconcile their own records or to arrive at the exact quantum of arrears, owing to deficiencies in their internal check and record-keeping mechanism — an admitted lapse on their part.
- 3.2 Vide interim order dated 19.06.2026, this Forum constituted a High-Level Committee under the Chairmanship of the Chairman, Corporate CGRF, UHBVN, Panchkula, with the Director (Operations), DHBVN being directed to organize a dedicated coordination camp for reconciliation of records and finalization of the recoverable arrears. The Committee undertook an arduous and painstaking exercise of scrutinizing each ledger entry and tracing the available record, and thereby arrived at the final figures recoverable in respect of the premises in question.
- 3.3 Consequent upon the finalization of accounts, the respondents issued two demand notices, duly audited by the Sr. AO/Audit, DHBVN, Gurugram on 30.09.2026:

Memo No. 6327 dated 30.09.2026 for a sum of Rs. 9,52,195/- raised in the name of Smt. Poonam Gogia; and Memo No. 6328 dated 30.09.2026 for a sum of Rs. 17,49,775/- raised in the name of Sh. Sudarshan Gogia, aggregating to Rs. 27,01,970/- (Rupees Twenty-Seven Lacs One Thousand Nine Hundred Seventy only).

4. Hearing of 01.10.2026 and Rival Submissions

- 4.1 At the hearing held on 01.10.2026, the respondents confirmed that the aforesaid notices had been got audited on 30.09.2026 itself and were being dispatched to the appellant.
- 4.2 Learned counsel for the appellant submitted that an amount of approximately Rs. 3.80 lacs, claimed by the appellant towards certain payments, remains unreconciled

and unverified; that specific remarks ought to be recorded in the notice qua the payments which could not be verified; and that the appellant is ready and willing to deposit the dues finally determined, whereupon the connection at the premises may be released within a week's time. The appellant's undertaking to deposit the amount stands recorded in the interim orders passed in this appeal.

- 4.3 The XEN (OP) submitted that all possible verification has been carried out, that the payments relied upon by the appellant pertain to the period after 2010 when a separate connection in the name of M/s SM Machine was released by the Sub Division, and that any further exercise of verification carries the risk of duplication. He further submitted that the release of the connection would be processed only upon receipt of final orders from this Forum.
- 4.4 The respondent SDO (OP) verbally prayed for a lenient view in respect of the recommended disciplinary action, citing career stagnation; learned counsel for the appellant fairly acknowledged the cooperation extended by the said officer during the proceedings.

5. Findings and Reasons

- 5.1 This Forum has carefully considered the record, the successive interim orders, the final report of the High-Level Committee, the audited demand notices, and the submissions of the parties.
- 5.2 On the form of the demand. The Forum notes that the two notices dated 30.09.2026 have been raised individually in the names of Smt. Poonam Gogia and Sh. Sudarshan Gogia — the erstwhile consumers — although the admitted position on record is that both connections existed at the same premises; that the defaulting amount was transferred from one such account to the other in 2015; and that the dues, in substance, stand fastened to the premises in question. In the facts of the present case, where the appellant is the owner of a sub-divided portion of the premises and seeks a connection thereat, Regulation 4.3.2 of the Supply Code required the respondents to raise a clear, consolidated and unambiguous demand of the total amount outstanding against the premises, with the components thereof duly particularized, and to serve the same upon the appellant, so that the deposit thereof would conclude the controversy and entitle him to the release of the connection. A fragmented demand, raised severally in the names of the erstwhile consumers and couched in language that leaves room for further dispute, does not meet the requirements of Regulation 4.3.2 and carries the potential of defeating the very object of the provision, namely, finality.
- 5.3 On the responsibility of the respondents. The Forum is constrained to observe that the prolonged pendency of this matter is attributable in substantial measure to the respondents' own record-keeping and internal audit mechanism, which failed to reconcile accounts relating to their own connections over an extended period.

Whether on account of unfamiliarity with the applicable provisions of the Supply Code or otherwise, the issuance of notices in a form that does not conclusively determine the liability against the debtors with detail of premises falls short of the standard expected of a distribution licensee, more particularly where the consumer has, on record, undertaken to pay the determined amount. It is, however, also recorded that in the later stages of the proceedings, the respondent SDO (OP) extended cooperation in the verification exercise, a fact fairly acknowledged by learned counsel for the appellant.

5.4 On the balance of equities. The appellant has repeatedly sought release of the connection and has furnished an undertaking to deposit the amount determined; the respondents have, through the High-Level Committee, now arrived at a final figure. The ends of justice require that (i) the appellant be served with a clear and consolidated demand, where after the connection be released upon deposit; (ii) the respondents complete the verification of the residual amount of approximately Rs. 3.80 lacs so that no prejudice is caused to the appellant on account of sums genuinely paid; and (iii) the respondents, whose own lapses necessitated this protracted exercise, be not permitted to withhold the connection beyond the deposit of the demand so crystallized.

5.5 On the prayer for leniency. The request made by the respondent SDO operation vide memo No. 6349 dated 06.10.2026 regarding waiver of the penalty of Rs.20,000/- and withdrawal of disciplinary proceeding imposed vide interim order dated 20.04.2026 and 29.09.2026 was also considered.

This Forum's endeavour is not to have any officer punished, but to ensure that justice is delivered to the consumer. Taking a lenient view, and noting the cooperation extended by the respondent SDO (OP) in the concluding stages, the Forum recommends to the Managing Director and the Chief Engineer (Admin), DHBVN, Hisar, that no disciplinary action be initiated against the said officer. However, in view of the fact that this matter has remained pending since December 2025, the penalty and cost of Rs. 20,000/- (Rupees Twenty Thousand only), as directed vide the interim orders, shall be paid to the appellant by way of credit in his new electricity connection.

5.6 Appreciation. The Forum records its deep gratitude to the Chairman, Corporate CGRF, UHBVN, and the members of the High-Level Committee, who undertook the painstaking exercise of scrutinizing each ledger entry and tracing the relevant records, thereby bringing this matter to a conclusive stage where the respondents themselves had been unable to do so. The Forum also records its appreciation of the sincere efforts and cooperation rendered by the office of the Director (Operations) and the Chief Auditor, DHBVN.

6. Operative Directions

In view of the foregoing findings, the following final directions are issued:

- a) The demand notices are taken on record, subject to consolidation. The respondents shall, within seven days of the receipt of this order, serve upon the appellant copies of Memo No. 6327 dated 30.09.2026 (Rs. 9,52,195/-, in the name of Smt. Poonam Gogia) and Memo No. 6328 dated 30.09.2026 (Rs. 17,49,775/-, in the name of Sh. Sudarshan Gogia), along with a single consolidated demand notice against the premises in question (land bearing Rect. No. 5, Killa No. 18/2, Village Kadipur, District Gurugram) for the total sum of Rs. 27,01,970/-, raised in terms of Regulation 4.3.2 of the HERC (Electricity Supply Code) Regulations, 2014, clearly specifying that the deposit of the said amount shall constitute full and final clearance of all dues outstanding against the premises for the purpose of release of a new connection in the name of Sh. Karam Chand Gogia who is appellant in the Appeal No 51/2025 and has moved the instant appeal for release of Electricity Connection in the section(Half) of the above said total premises .
- b) Release of connection upon deposit. Upon the appellant depositing the amount demanded in the consolidated notice, the respondents shall process and release the new electricity connection at the said premises within timelines notified in RTS Act,2014 of such deposit, in accordance with the instructions in vogue. The appellant's undertaking to deposit the amount, as recorded in the interim orders, shall stand discharged upon such deposit.
- c) Final verification of the disputed amount of ~Rs. 3.80 lacs. The respondents shall make a final, time-bound effort to verify the appellant's claim regarding payments of approximately Rs. 3.80 lacs, after duly intimating the appellant of the specific entries that could not be verified and the reasons therefor. In the event any further amount stands verified in the appellant's favour, corresponding credit shall be extended to the account allotted against the new connection at the said premises.
- d) Leniency with cost. The Managing Director and the Chief Engineer (Admin), DHBVN, Hisar are recommended not to initiate disciplinary action against the respondent SDO (OP) as requested by letter dated 06.10.2026. However, the penalty and cost of Rs. 20,000/-, as already directed vide the interim orders, shall be recovered and paid to the appellant by way of credit in his new electricity connection.

The appeal is accordingly disposed of in the above terms, with costs as aforesaid mentioned.

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 07.10.2026.

-Sd/-

(Rakesh Kumar Khanna)
Electricity Ombudsman, Haryana

Dated: 07.10.2026

CC:

Memo No.2392-2410/EO/HERC/Appeal No. 51/2025 Dated: 07.10.2026

To

1. Karam Chand Gogia through counsel Shri Akshay Gupta Advocate, 659, 6th Floor, Satya the Hive, Sector-102, Gurugram (Email juristakshayoffice@gmail.com)
2. The Managing Director, DHBVN, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana - 125005 (Email md@dhbvn.org.in).
3. Legal Remembrancer, Haryana Power Utilities, Panchkula (Email lr@hvpn.org.in).
4. The Director Operation Dakshin Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005 (Email directoroperations@dhbvn.org.in)
5. The Chief Engineer Operation, DHBVN, Delhi (Email ceopdelhi@dhbvn.org.in).
6. The Chief Accounts Officer (Pay & Accounts), Dakshin Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005 (Email cao@dhbvn.org.in)
7. The Chief Engineer (Administration), Dakshin Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005 (Email cehr@dhbvn.org.in)
8. Chief Auditor, DHBVN, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005 (Email ceauditor@dhbvn.org.in)
9. The Chairperson, Consumer Grievances Redressal Forum, UHBVN, Flat No. 519 to 522, Power Colony, Industrial Area Phase-2, Panchkula for kind information in the matter, (Email ID cgrf@uhbvn.org.in)
10. Chief Engineer IT and SE/IT, Dakshin Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005 (cto@dhbvn.org.in, seit@dhbvn.org.in)
11. The SE/OP, Circle, Gurugram-I, DHBVN, Gurugram (Email seop1gurugram@dhbvn.org.in)
12. The SE/Commercial Back office, DHBVN, Vidyut Sadan, Vidyut Nagar, Hisar, Haryana -125005 (secbo@dhbvn.org.in)
13. The XEN/OP, City Division, Gurugram, (Email xenopcacitygurugram@dhbvn.org.in)
14. The Xen/Operation, Manesar, Gurugram, 2nd Floor, DHBVN, Opp. Govt. School, Kadipur, Gurugram (Email xenopmanesar@dhbvn.org.in)
15. The XEN/M & P Division, DHBVN, Gurugram (Email xenmpggn@dhbvn.org.in)
16. The XEN/Enforcement, DHBVN, SCO No. 2, Second Floor, HUDA Market, Sector 31, Gurugram, Haryana - 122001 (xenvigilancegurugram@dhbvn.org.in)
17. SDO/OP, Sub Division Kadipur, DHBVN, Gurugram (Email sdoopkadipur@dhbvn.org.in)
18. Commercial Assistant Office SDO/Op, Sub Division, Kadipur, DHBVN, Gurugram ([Email sdoopkadipur@dhbvn.org.in](mailto:sdoopkadipur@dhbvn.org.in))