BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT PANCHKULA

Case No. HERC/ P. No. 69 of 2026

Date of Hearing : 13/10/2026

Date of Order : 03/11/2026

IN THE MATTER OF:

Petition under section 43 of the Electricity Act 2003 read with Regulation 4 of the HERC Electricity Supply Code Regulation 2014 read with Regulation 3 and 8 of the Haryana Electricity Regulatory Commission (Duty to Supply Electricity on Request and Power to Recover Expenditure and Power to require Security) Regulations, 2016 (Regulation No 34) and its subsequent amendments read with Regulations 65,68,69, 70 & 71 of HERC (Conduct of Business Regulations), 2019 seeking directions to the Respondents to release electricity connection to the Petitioner on demand for the purpose of schools constructed at the sites duly approved under the building plan of the developer M/s BPTP by the Town and Country Planning Department, Haryana.

Petitioner

Satyavir Singh Yadav S/o Sh. Beg Raj Yadav, R/o House No 13 Sector 15 Part I Gurugram.

Versus

Respondents

1 M/s BPTP Limited OT-14, Third Floor, Next Door Parlands, Sector 76 Faridabad.
2 Residents Welfare Association, Princess Park, Sector 86, Faridabad.
3 Superintending Engineer OP Circle, DHBVN, Sector-23, Faridabad.
4 Executive Engineer OP Division Greater Faridabad, DHBVN, Faridabad
5 Sub Divisional Engineer / OP DHBVN Kheri Kalan, DHBVN, Faridabad

Present

On behalf of the Petitioner

None

On behalf of the Respondents

1. Sh. Anup Mehta, G.S. RWA
2. Sh. Ramnik Chahal, V.P. RWA
3. Sh. Ankit Aggarwal, SDO, DHBVN

QUORUM

Shri Mukesh Garg, Chairman
Shri Shiv Kumar, Member

ORDER

1. **Petition:**

1.1 That Ms. Swati Yadav D/o Sh. Satyavir Singh Yadav and Sh. Satyavir Singh Yadav S/O Sh. Beg Raj Yadav, R/O House No. 13, Sector 15 Part I, Gurugram – 122001 (Haryana) are the lawful owners of the property in question, which lies within the boundary of M/S BPTP (Princess Park), Sector 86, Faridabad. (hereinafter may referred as site)

1.2 This site was earmarked as school site in the layout plan.

1.3 This property has been purchased by Ms. Swati and Her Father Mr. Satyavir Singh Yadav from Respondent No. 1 for developing schools.

1.4 Mr. Satyavir Singh Yadav (hereinafter referred to petitioner) is the co-sharer in this property and has all the legal rights to file the present petition.

1.5 That the construction of the site has been completed but when it came to release of electricity connection, it has been denied by the developer M/S BPTP on the pretext that the property has since been transferred / handed over to the Residents' Welfare Association (RWA), by the Residents' Welfare Association (RWA) of BPTP (Princess Park) on the pretext that the developer has not developed adequate electrical infrastructure, and by the licensee of the area Dakshin Haryana Bijli Vitran Nigam (DHBVN) on the pretext that it is s Single Point Connection and that the connection inside has to be obtained from the developer or the RWA, as the case may be.

1.6 That the Petitioner purchased the above referred school sites from Respondent No. 1 by following the due process as laid down under law of the land and also that these 2 nos. school sites stand duly approved / sanctioned in the Building Plan / Scheme by the Director, Town and Country Planning Department, Haryana. No rules or the law of land has been violated by the Petitioner, but still, the electricity connection has been denied.

1.7 That when enquired from Respondent No. 1, they say that they have erected adequate internal and external electrical infrastructure, as mandated by the licensee DHBVN. That as per approved Electrification Plan (EP), they were mandated to erect distribution transformers of 6000 kVA which they have already commissioned and nothing remains there as inadequacy.

1.8 That when enquired from Respondent No. 2, they say that Respondent No. 1 has not created adequate electrical infrastructure and therefore they would not allow any connection to the Petitioner for their school sites

1.9 That when enquired from the Respondent Nos. 3 to 5, they say that they have no role to play as the Single Point connection stands released and that whatever hold up is there, it is on the part of developer or the RWA.

1.10 That the ultimate sufferers are the petitioner, who despite having purchased the school sites lawfully, despite having constructed the

school buildings as per approved plan and despite having agreed to pay the due charges to Developer / RWA / DHBVN, the electricity connection is being denied and none of the Respondents want to take the responsibility in this regard.

1.11 That after having exhausted all the resources and channels, the Petitioner are forced to approach the Hon'ble Commission to get justice and with a humble plea to direct the Respondents to release the connection without any further delay.

1.12 That Princess Park in sector 86 of Faridabad district has been developed by the developer M/S BPTP Ltd., which they say has been handed over / transferred to the RWA for all intents and purposes

1.13 That this petition is bonafide and has been prepared with an objective of enabling the Hon'ble Commission to consider the issue in a manner that supports the implementation of law and to give directions to the Respondents to release electricity connection to the Petitioner against the lawful dues as prescribed by the hon'ble Commission

1.14 DESCRIPTION OF RESPONDENT PARTIES

i. The Respondent No. 1 is M/S BPTP Limited having its registered office at OT-14, 3RD Floor, Next Door, Parklands, Sector 76, Faridabad (Haryana). "BPTP Limited" was previously "Countrywide Promoters Pvt. Ltd.". The change in name of the company has been effected legally by following the rules and regulations in this regard. They are one of the major developers in Faridabad and have developed the property in Sector 86, Faridabad in the name of "PRINCESS PARK", the property which is a matter of subject in the present Petition. Single Point Supply was obtained by BPTP from Respondent Nos. 3 to 5 under Bulk Supply (Domestic) category.

ii. Respondent No. 2 is the Residents' Welfare Association (RWA) OF "PRINCESS PARK" and are currently holding and managing the property after its taking over from the developer M/S BPTP. Under the provisions of Single Point Supply Regulations of 2020, the RWA is now responsible and duty bound to release individual connections on request by the consumers located within the Group Housing Society "Princess Park"

iii. Respondent Nos. 3 to 5 are offices of Dakshin Haryana Bijli Vitran Nigam (hereinafter referred to as "DHBVN"), who are a company incorporated under the Companies Act, 1956 and has its registered office at Vidyut Sadan, Vidyut Nagar, Hisar (Haryana). The company is engaged in the business of electricity distribution in Dakshin Haryana area and is governed by the provisions of the Electricity Act, 2003. They have released the Single Point Supply connection to Respondent No. 1, which now stands transferred and is being operated by Respondent No. 2.

1.15 JURISDICTION:

That the Hon'ble Commission has jurisdiction to entertain the present petition as the present petition falls under the following provisions of the Electricity Act, 2003 and the relevant Regulations.

The Hon'ble Commission has the power to issue directions in the matter:

A. Section 43. Duty to supply on request

(1) Every distribution licensee, shall, on an application by the owner or occupier of any premises, give supply of electricity to such premises, within one month after receipt of the application requiring such supply:

Provided that where such supply requires extension of distribution mains, or commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the Appropriate Commission:

Provided further that in case of a village or hamlet or area wherein no provision for supply of electricity exists, the Appropriate Commission may extend the said period as it may consider necessary for electrification of such village or hamlet or area.

(2) It shall be the duty of every distribution licensee to provide, if required, electric plant or electric line for giving electric supply to the premises specified in sub-section (1):

Provided that no person shall be entitled to demand, or to continue to receive, from a licensee a supply of electricity for any premises having a separate supply unless he has agreed with the licensee to pay to him such price as determined by the Appropriate Commission.

If a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default.

REGULATION 4 OF THE ELECTRICITY SUPPLY CODE 2014 (PROCEDURE FOR RELEASE OF NEW CONNECTION AND MODIFICATION IN EXISTING CONNECTION)

4.1 Licensee's obligation to supply

4.1.1 The licensee shall, on an application by the owner or occupier of any premises located in his area of supply, give supply of electricity to such premises within the time specified in these Regulations, provided:

(1) the supply of power is technically feasible. Where it is found not to be feasible, the licensee shall endeavor to improve feasibility at the earliest

(2) the applicant has observed the procedure and conditions as specified in these Regulations.

4.1.2 The system of supply and voltage shall depend on the category of the consumer and the load as per details given in Regulations 3.1 and 3.2, subject to provision under Regulation 3.2.2.

4.2 Licensee's obligation to strengthen / upgrade / augment the distribution system and the mode of recovery of the cost thereof

4.2.1 The licensee is responsible for ensuring that its distribution system is upgraded, extended and strengthened to meet the demand for electricity in its area of supply including the growth of such demand.

4.2.2 The licensee shall bear the cost for strengthening, augmentation and up-gradation of the system, to meet the demand of general areas, through its annual revenue requirements (ARR) and the licensee shall

seek to recover these costs from the consumers by submitting appropriate tariff proposal before the Commission while submitting the ARR. However, for individual consumers, the provisions of Regulations 4.2.3 and 4.2.4 shall apply.

4.2.3 The cost of extension of distribution main and its up-gradation up to the point of supply for meeting demand of a consumer, whether new or existing, and any strengthening/augmentation/up-gradation in the system starting from the feeding substation for giving supply to that consumer, shall be payable by the consumer or any collective body of such consumers as per the Regulations framed by the Commission under Section 46 of the Act.

4.2.4 In case of a new connection, the consumer shall bear service connection charges, i.e. the cost of extension of service line from the distribution main to the point of supply.

REGULATIONS 3 AND 8 OF THE DUTY TO SUPPLY ELECTRICITY ON REQUEST, POWER TO RECOVER EXPENDITURE INCURRED IN PROVIDING SUPPLY AND POWER TO REQUIRE SECURITY REGULATIONS, 2016

3 DUTY OF DISTRIBUTION LICENSEE TO SUPPLY ON REQUEST

3.1 Every distribution licensee, shall, on an application by the owner or occupier of any premises located in his area of supply, give supply of electricity to such premises within the timeframe specified under Regulation 4 of the Electricity Supply Code, after receipt of the application complete in all respects requiring such supply, provided:

(1) the supply of power is technically feasible. Where it is found not to be feasible, the licensee shall endeavor to improve feasibility at the earliest.

(2) the applicant has complied with the procedure and conditions as specified in Regulation 4 of the Electricity Supply Code and these Regulations.

3.2 The system of supply and voltage shall depend on the category of the consumer and the load as per details given under Regulations 3.1 and 3.2 of the Electricity Supply Code.

3.3 It shall be the duty of every distribution licensee to provide, if required, electric plant or electric line for giving electric supply to the premises specified under Regulation 3.1 above.

Provided that no person shall be entitled to demand, or to continue to receive, from a licensee a supply of electricity for any premises having a separate supply unless he has agreed with the licensee to pay to him such price as determined by the Commission.

3.4 It shall be the responsibility of the licensee to have necessary arrangements with the respective transmission licensee(s) to ensure that the required supply at High Tension above 33 KV is made available within the timeframe specified under Regulation 4 of the Electricity Supply Code.

8 POWER TO GIVE DIRECTIONS

The Commission may from time to time issue such directions and orders as considered appropriate for implementation of these Regulations.

REGULATION 5.3 AND 6.1 (e)(ii) OF Single Point Supply to Employers' Colonies Group Housing Societies, Residential Colonies, Office cum Residential Complexes and Commercial Complexes of Developers, and Industrial Estates/IT Park/SEZ Regulations, 2020.

5.3 The individual consumers in the GHS/Employer's Colonies/Residential cum Commercial/Commercial Complexes/ Shopping Malls/Industrial Estates/IT Park where Single Point Supply has been provided shall be treated at par with the consumers of the distribution licensees and shall have the same rights and obligations as that of other consumers of distribution licensee. These consumers shall also be covered under all other relevant Regulations of the Commission including CGRF and Ombudsman Regulations, and tariff order issued by the Commission, provided that in case of the provision of section 126, 135 and 138 of the Act the distribution licensee shall be authorized to take necessary action as per these provisions of the Act in coordination with such Employer's Colony/GHS/ RWAs/Users Associations.

6.1 (e) (ii) The Developer /Users Association shall deposit an amount equivalent to Security (ACD) of total load/Contract Demand of the consumers in such area as per regulation. The first review shall be carried out only after 12 months consumption from April to March is available with licensee. The interest on Security (ACD) shall be payable to the Users Association as per provisions of the Regulations in vogue. The connections to the individual consumers and the common services and other loads in such area shall be released by the User Association after executing necessary Agreement, with the individual consumers, specifying the terms and conditions of supply in line with the A&A forms of the Licensee and recovery of Security (ACD) and meter Security and such other charges as approved by the Haryana Electricity Regulatory Commission.

REGULATIONS 65 & 69 OF THE CONDUCT OF BUSINESS REGULATIONS, 2019

A. *65 - Saving of inherent power of the Commission: Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for ends of justice or to prevent the abuse of the process of the Commission.*
B. *69 - Power to remove difficulties: If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty.*

FACTUAL BACKGROUND

1.16 The Petitioner Ms. SWATI YADAV D/O SH. SATYAVIR SINGH YADAV and SH. SATYAVIR SINGH YADAV S/O SH. BEG RAJ YADAV, R/O House No. 13, SECTOR 15 PART I, GURUGRAM – 122001 (HARYANA) are the lawful owners of the property in question, which lies within the boundary of M/S BPTP (Princess Park), Sector 86, Faridabad. This property has been purchased by the Petitioner from

Respondent No. 1 for developing schools. The construction of buildings has been completed but when it came to release of electricity connection, it has been denied by the developer M/S BPTP on the pretext that the property has since been transferred / handed over to the Residents' Welfare Association (RWA).

1.17 The electricity connection has been refused by the Residents' Welfare Association (RWA) of BPTP (Princess Park) on the pretext that the developer has not developed adequate electrical infrastructure and therefore they would not allow any other connection to be released.

1.18 The electricity connection has also been refused by the Respondent Nos. 3 to 5, who are the distribution licensee of the area (DHBVN) on the pretext that it is a Single Point Connection and that the connection inside has to be obtained either from the developer or the RWA, as the case may be.

1.19 That the Petitioner purchased the above referred school sites from Respondent No. 1 by following the due process as laid down under law of the land and also that these 2 nos. school sites stand duly approved / sanctioned in the Building Plan / Scheme by the Director, Town and Country Planning Department, Haryana. No rules or the law of land has been violated by the Petitioner, but still, the electricity connection has been denied.

1.20 The Petitioner purchased the above said sites for 2 nos. schools from Respondent No. 1 under a "Conveyance Deed". Clause No. 12 of the "Deed" is reproduced as under:

" .... The Vendees shall at all times after the execution of this Conveyance Deed be solely responsible and liable for any contravention of laws, rules, regulations, and policies and shall commence the construction activity on the said Plot in consonance with the plans approved by DTCP/ competent authority for the said Plot and applicable laws and regulations and other due approvals from competent authorities for the Nursery School and Primary School/ Plot."

1.21 It is evident from above that the premises for which the Petitioner are requesting electricity connections are bonafide sites as per approved plan and there is no deviation, whatsoever, effected or intended to be effected by the Petitioner. Therefore, the Respondents have no reason, whatsoever, to refuse the electricity connection at the 2 nos. school sites.

1.22 Clause no. 24.1 of the Conveyance Deed is reproduced as under:

"That the Vendees understand, agree, and undertake to apply directly and obtain electricity connection after applying directly to Dakshin Haryana Bijli Vitran Nigam (DHBVN) / Haryana Vidyut Prasaran Nigam (HVPN) / State Electricity Boards (SEBs) / any other electricity distributing agencies for getting electricity connection as per its own needs and requirement. The Vendees agree and confirm that the electricity connection charges payable to the government agency(ies) / department(s) shall be borne and paid by the Vendees and the consumption charges for electricity consumed within the said Plot shall be paid by the Vendees. It is clarified that the Vendors shall be

responsible only to the extent of providing / creating the electrical infrastructure, as per the prescribed norms of DHBVN / HVPN / SEBs in the colony. The Vendees agree and confirm that any electrical infrastructure within the boundary wall of the said Plot shall be developed at the sole costs and expenses of the Vendees. In the event the direct electrical connection is not available from DHBVN / HVPN / SEBs or concerned department authority, then, subject to applicable laws / permission from authorities, the Vendors will provide electricity connection, from the sanctioned electrical connection of the Colony, and the Vendees shall be liable to pay to the Vendors proportionate electricity connection charges which otherwise would have been payable by the Vendees to a concerned government agency(ies) / department(s) for availing the direct electrical connection"

1.23 The above Conveyance Deed has been signed between Respondent No. 1 and the Petitioner. And if the assets and liabilities of the colony have been handed over by Respondent No. 1 to Respondent No. 2, the Respondent No. 2 is under legal obligation to comply with the provisions of "Deed" and provide electricity connection to the Petitioner. The Conveyance Deed was signed and executed on 16th June 2022. The Respondent No. 1 very well knew on the day of execution of Deed that the electricity connection obtained was Single Point Supply connection and that the connection to the Petitioner would have to be given from within the colony and not by Respondent Nos. 3 to 5. As such, Respondent No. 2 is legally bound to give electricity connection from the infrastructure created for the colony. If at all there is a matter of dispute between Respondent Nos. 1 and 2, the Respondent No. 1 is duty bound and under legal obligation to arrange the electrical connection from distribution licensee DHBVN.

1.24 The Developer expressly represented and undertook under Clause 24.1 that the purchaser would be provided the electricity arrangement contemplated therein. The subsequent transfer/handing over of the colony to the RWA cannot defeat or render nugatory the rights already acquired by the purchaser under the Conveyance Deed.

1.25 Despite having completed the construction work of schools as per approved plan and despite having been assured of the electricity connection in the Conveyance Deed, The Petitioner are suffering and have not been able to use the property for which it is meant. The Petitioner have already suffered huge financial losses apart from mental hardships due to refusal of the Respondents to release the electricity connection.

1.26 A legal notice in this regard was sent to Respondent No. 1 with whom the Conveyance Deed had been executed, a copy of which is attached.

1.27 Reply to this notice has been received, a copy of which is attached. A cogent reading of this reply from Respondent No. 1 shows as to how ignorant and innocent one could show to be. Instead of honouring the commitment made in the Conveyance Deed, the Respondent No. 1 has just brushed away everything and is not even inclined to talk about the electricity connection.

1.28 The Electrification Plan (EP) of Princess Park was originally sanctioned in 2023 by the office of Chief Engineer (Commercial) of DHBVN for an ultimate load of 5447.32 kW or 6052.57 kVA vide sanction letter dated 25.03.2023. Subsequently, this EP was revised by the Chief Engineer (Operation) of DHBVN for an ultimate load of 4268.34 kW or 4742.60 kVA vide sanction letter dated 0.02.2024.

1.29 This electrification plan includes the load requirement of 2 nos. school sites as per load norms circulated by the Respondent Nos. 3 to 5. But when the electricity connection has been demanded, all the Respondents have started making excuses and have left the Petitioner to suffer.

1.30 If the approved Electrification Plan already contemplated the school sites/load, the Respondents cannot subsequently contend that the Petitioner's premises are outside the sanctioned electrical planning or that the connection is impermissible merely because of the Single Point Supply arrangement.

1.31 The RWA consists of the residents who also have purchased their respective apartments from the Respondent No. 1. The Petitioner here are also one of the purchasers, like anyone of them, and therefore it is absolutely illegal and unwarranted on the part of one set of buyers to get together and to deny connection to other buyers. And that too without any reason. If the RWA, just a conglomerate of buyers, who incidentally got together, act in an illegal manner, they have no right to exist as RWA. The Respondent No. 1, before handing over the property to RWA should have ensured that the Petitioner do not suffer on that account.

1.32 Regardless of the internal arrangement between the Respondents, the Petitioner cannot be left remediless or deprived of electricity indefinitely. The Respondents must identify the precise statutory/regulatory impediment, if any, and ensure release of the connection upon compliance by the Petitioner with the applicable requirements and payment of lawful charges.

1.33 The relevant sections of Electricity Act 2003 and the relevant Regulations, as explained in the initial paras of this Petition also make it very clear that electricity connection to Petitioner cannot be denied. First of all, it is the duty of Licensee DHBVN to ensure that the connection is released on request (Section 43 of EA 2003). But if the powers to release the connection have been delegated to the developer under the Single Point Supply Regulations, then it is obligatory on the part of Respondent No. 1 (Developer) to release the connection. Again further, if the Respondent No. 1 has delegated its powers to release the connection to Respondent No. 2, then Respondent No. is legally bound to release the connection. But if there is any matter of dispute between any two or all the three of them, then the law bounds the Respondent Nos. 3 to 5 (DHBVN) to either release the connection directly to the Petitioner or arrange the same through either Respondent No. 1 or 2. But to deny electricity connection to Petitioner is not within their legal powers. They must release the connection or compensate the Petitioner for the lapse.

1.34 That as per clause 24.1 of the Conveyance Deed (reproduced above), the Petitioner are entitled and legally within their right to apply and get the load sanctioned as per their needs and requirements. Legally also, the Respondents cannot put a limit / restriction on the requirement of load.

1.35 GROUNDS

A. BECAUSE Section 43 of the Electricity Act, 2003 casts a statutory obligation upon every distribution licensee to give supply of electricity to the premises of an owner or occupier upon receipt of an application requiring such supply, within the period prescribed under the Act and the applicable Regulations. The Respondent Nos. 3 to 5, being the distribution licensee having jurisdiction over the area in question, cannot decline or indefinitely defer the release of electricity connection to the Petitioner's premises without establishing any specific statutory or regulatory impediment.

B. BECAUSE Regulation 4.1 of the HERC Electricity Supply Code Regulations, 2014 reinforces the statutory obligation of the distribution licensee to supply electricity to the premises of an owner or occupier located within its area of supply, subject to technical feasibility and compliance with the prescribed procedure and conditions. The Petitioner is ready and willing to comply with all lawful requirements and to deposit all charges payable under the applicable Regulations.

C. BECAUSE Regulation 5.3 of the HERC Single Point Supply to Employers' Colonies, Group Housing Societies, Residential Colonies, Office-cum-Residential Complexes and Commercial Complexes of Developers, and Industrial Estates/IT Park/SEZ Regulations, 2020 expressly provides that individual consumers in an area where Single Point Supply has been provided shall be treated at par with the consumers of the distribution licensee and shall have the same rights and obligations as other consumers of the distribution licensee. Accordingly, the existence of a Single Point Supply arrangement cannot, by itself, deprive the Petitioner of its right to seek and obtain electricity connection in accordance with law.

D. BECAUSE the Single Point Supply arrangement is a regulatory mechanism for distribution and management of electricity within the concerned complex and cannot be construed as a licence or authority to arbitrarily deny electricity to an otherwise eligible consumer. The existence of such an arrangement cannot be permitted to create a situation where the Petitioner is left without any effective remedy merely because the Developer, the Residents' Welfare Association/User Association and the distribution licensee take conflicting positions regarding their respective responsibilities.

E. BECAUSE the approved Electrification Plan of Princess Park, Sector 86, Faridabad, sanctioned by the competent authority of DHBVN, already contemplated and included the load requirement of the two school sites purchased by the Petitioner. The Petitioner's premises are, therefore, not an unforeseen or unauthorised load outside the approved electrical planning of the colony. Consequently, the

Respondents cannot subsequently refuse the electricity connection on the ground that the Petitioner's school sites were not contemplated under the sanctioned electrification arrangement, particularly when the relevant load requirement had already formed part of the approved Electrification Plan.

F. BECAUSE the Conveyance Deed executed between the Petitioner and Respondent No. 1 expressly contemplated the Petitioner obtaining electricity connection directly from DHBVN/HVPN/concerned electricity distribution agency and further provided for an alternative arrangement through the sanctioned electrical connection of the colony in the event direct electrical connection was not available. The Developer also expressly undertook responsibility for providing/creating the electrical infrastructure in the colony in accordance with the prescribed norms. The subsequent handing over or transfer of the management of the colony to Respondent No. 2 cannot be permitted to defeat or render ineffective the rights and entitlements already acquired by the Petitioner under the Conveyance Deed.

G. BECAUSE any inter se dispute, disagreement or deficiency alleged between Respondent No. 1 (Developer) and Respondent No. 2 (Residents' Welfare Association/User Association) concerning the electrical infrastructure or its maintenance cannot prejudice the Petitioner's independent right to seek electricity supply for its lawfully owned and duly approved school premises. Petitioner cannot be prejudiced by any inter-se dispute or internal arrangement between the Respondents

H. BECAUSE despite repeated requests and correspondence, the Respondents have failed to identify any specific provision of the Electricity Act, 2003, the HERC Electricity Supply Code, the Single Point Supply Regulations, 2020, or any other applicable law or Regulation which prohibits or legally disentitles the Petitioner from obtaining electricity connection for the subject premises. A mere reference to the existence of Single Point Supply, without identifying any statutory or regulatory prohibition, cannot constitute a lawful basis for refusal of electricity supply.

I. BECAUSE the Petitioner has lawfully acquired the two school sites from Respondent No. 1 and the said sites stand duly approved/sanctioned under the building plan/scheme of the competent authority. The construction of the school premises has also been completed in accordance with the approved plans. There is, therefore, no pleaded or established illegality in the use of the premises which could justify withholding electricity connection.

J. BECAUSE the Petitioner has always been ready and willing to bear and deposit all lawful charges payable for obtaining electricity connection, including applicable service connection charges, security/ACD, meter charges and other charges as may be determined in accordance with the applicable HERC Regulations. The Petitioner seeks only release of electricity supply upon compliance with the lawful requirements prescribed by the competent authority.

K. BECAUSE the Respondents cannot take mutually inconsistent positions whereby Respondent No. 1 attributes responsibility to Respondent No. 2, Respondent No. 2 attributes the alleged deficiency to Respondent No. 1, and Respondent Nos. 3 to 5 disclaim responsibility on the ground that the area is under Single Point Supply. Such an arrangement effectively leaves the Petitioner without electricity despite being a lawful owner of the premises and despite the applicable regulatory framework recognising the rights of individual consumers.

L. BECAUSE Regulation 8 of the HERC Duty to Supply Electricity on Request and Power to Recover Expenditure Incurred in Providing Supply and Power to Require Security Regulations, 2016 and Regulation 65 to 69 of Conduct of Business Regulation 2019, empowers the Hon'ble Commission to issue such directions and orders as may be considered appropriate for implementation of the Regulations. The present case, therefore, warrants appropriate regulatory directions to ensure that the Petitioner is not deprived of electricity on account of an inter se dispute or administrative arrangement amongst the Respondents.

M. BECAUSE the continued denial of electricity connection has caused and continues to cause serious prejudice to the Petitioner, who has completed construction of the school premises but is unable to utilise the property for the purpose for which it was lawfully acquired and constructed. The continued denial is consequently causing avoidable harassment and hardship to the Petitioner.

N. BECAUSE in the facts and circumstances of the present case, the Respondents are under an obligation to identify the competent entity responsible for release of the connection and to process the Petitioner's request in accordance with the applicable statutory and regulatory framework. The Petitioner cannot be compelled to indefinitely approach one Respondent after another merely because of the internal arrangement concerning Single Point Supply.

O. BECAUSE the present Petition is being filed bona fide and in the interest of securing implementation of the statutory and regulatory framework governing supply of electricity and to ensure that the Petitioner, having fulfilled the requirements applicable to the subject premises, is not deprived of electricity on account of circumstances attributable to the Respondents.

P. BECAUSE the continued non-release of electricity connection to the school premises is not merely causing financial and administrative hardship to the Petitioner, but is also adversely affecting the students for whose educational use the said premises have been duly constructed and approved. In the absence of electricity supply, the school premises cannot be made fully functional and the students are consequently being deprived of the necessary educational facilities and a suitable environment for their studies. The continued delay in providing electricity, therefore, has consequences extending beyond the individual interests of the Petitioner and directly affects the educational requirements and welfare of the students. The same

further demonstrates the urgency and public-interest dimension of the present Petition and warrants appropriate directions by this Hon'ble Commission for expeditious release of the electricity connection.

Q. BECAUSE the Petitioner is not seeking adjudication of any private or contractual dispute between the Respondents, but is seeking appropriate regulatory directions for implementation of the statutory and regulatory framework governing supply of electricity, particularly where the existing Single Point Supply arrangement has resulted in the Petitioner being unable to secure electricity connection despite the premises being duly approved and the relevant electrical load having been contemplated under the sanctioned Electrification Plan.

1.36 Court Fee of INR 50,000/- (Rupees Fifty Thousand) as per HERC Fee Regulation is paid through NEFT UTR Number FDRLH26237333617 on 25th Aug-2026

PRAYER

In view of the facts and circumstances stated hereinabove and in the interest of proper implementation of the provisions of the Electricity Act, 2003 and the Regulations framed thereunder, the Petitioner most respectfully prays that this Hon'ble Commission may graciously be pleased to:

1. Exercise its regulatory and statutory powers under the Electricity Act, 2003 and the applicable HERC Regulations for ensuring release of electricity connection to the Petitioner's two duly approved school premises situated at Princess Park, Sector 86, Faridabad, in accordance with Section 43 of the Electricity Act, 2003 and the applicable HERC Regulations;
2. Direct the concerned Respondents to process and facilitate the Petitioner's application for electricity connection in accordance with the applicable regulatory framework**,** and to complete the requisite formalities within the period prescribed under the Electricity Act, 2003 and the applicable Regulations;
3. Direct Respondent Nos. 1 and 2, being the Developer/User Association responsible for the Single Point Supply arrangement, to extend/release the requisite internal electricity connection to the Petitioner's school premises, in accordance with the approved Electrification Plan and the applicable provisions of the Single Point Supply Regulations, 2020, upon compliance by the Petitioner with all lawful requirements and payment of applicable charges;
4. In the alternative, or in case Respondent Nos. 1 and 2 are unable or unwilling to facilitate such connection, direct Respondent Nos. 3 to 5 to take such regulatory and technical measures as may be necessary for ensuring supply of electricity to the Petitioner's premises, in accordance with the Electricity Act, 2003 and the applicable HERC Regulations;
5. Direct the Respondents to determine and communicate to the Petitioner the applicable lawful charges, technical requirements and other formalities, if any, required for release of the electricity

connection, so that the Petitioner may comply with the same without further delay;

6. Direct that the Petitioner's application for electricity connection/load be considered in accordance with the applicable load norms, technical feasibility and the approved Electrification Plan, and that no restriction or impediment be imposed except as specifically authorised under the Electricity Act, 2003, the HERC Regulations or the applicable technical standards;
7. Pass such other or further regulatory directions as this Hon'ble Commission may deem appropriate for effective implementation of the statutory and regulatory framework governing supply of electricity, so as to ensure that the Petitioner is not deprived of electricity merely on account of the Single Point Supply arrangement or any inter se issue amongst the Respondents;
8. Pass any other order or direction which this Hon'ble Commission may deem fit and proper in the facts and circumstances of the present case, in the interest of justice and proper implementation of the regulatory framework.

   AND FOR THIS ACT OF KINDNESS, THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

Commission's Order:

1. The case was heard on 13/10/2026, as scheduled in the court room of the Commission. None appeared on behalf of the petitioners on the date fixed for hearing.
2. The present petition has been filed by Ms. Swati Yadav and Shri Satyavir Singh Yadav seeking directions for release of electricity connections to two school sites situated in Princess Park, Sector 86, Faridabad. The petitioners have, inter alia, relied upon the purchase of the sites, completion of construction, the approved electrification plan and the relevant provisions of the Electricity Act, 2003 and the applicable HERC regulations. The grievance essentially concerns the non-release of electricity connections and the respective obligations of the developer, the Residents Welfare Association (RWA) and Dakshin Haryana Bijli Vitran Nigam Limited (DHBVN) under the applicable Single Point Supply arrangement.
3. The Commission has considered the nature of the grievance and the statutory and regulatory framework governing the redressal of consumer grievances. Regulation 5.3 of the HERC (Single Point Supply to Employers' Colonies, Group Housing Societies and Residential or Commercial cum Residential Complexes) Regulations, 2020, makes the relevant consumer grievance-redressal mechanism applicable to individual consumers in the covered complexes. Further, Section 42(5) of

the Electricity Act, 2003, provides for redressal of consumer grievances through the Consumer Grievance Redressal Forum (CGRF) established by the distribution licensee.

4. The grievance raised in the present petition, relating to the non-release of electricity connections and the obligations of the concerned parties in facilitating such supply, is amenable to consideration under the prescribed grievance-redressal mechanism. However, the petitioners have not demonstrated that they first approached the competent CGRF of DHBVN for redressal of their grievance or that any decision or failure of the Forum warrants consideration of the matter by the Commission at this stage.
5. The statutory obligation to supply electricity under Section 43 of the Electricity Act, 2003, does not, by itself, dispense with the requirement of availing the prescribed grievance redressal mechanism. The provisions relating to the Commission's inherent powers and removal of difficulties under the HERC Conduct of Business Regulations, 2019, also do not, in the facts and circumstances of the present case, furnish sufficient ground to bypass the prescribed mechanism.
6. Accordingly, the petition is dismissed as not maintainable at this stage, with the proceedings also being disposed of in view of the petitioners' non-appearance on the date fixed for hearing. The petitioners shall, however, remain at liberty to approach the competent CGRF, DHBVN, in accordance with the applicable regulations, for adjudication of their grievance on merits.

Ordered accordingly.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 03/11/2026.

	Sd/-	**Sd/-**
Date:03/11/2026	**(Shiv Kumar)**	**(Mukesh Garg)**
Place: Panchkula	**Member**	**Chairman**