

**M/s Shivalik Energy Pvt. Ltd. and M/s Chirchind Hydro Power Ltd. Vs. the HPPTCL &Others.**

**Petition No. 53 of 2022**

**30.08.2022**

Present: Sh. L.S. Mehta, Ld. Counsel for the Petitioners.

**DAILY ORDER**

Office report seen.

Heard and perused the record. This is Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Regulations 53, 68 & 70 of the HPERC (Conduct of Business) Regulations, 2005 for adjudication of dispute qua exorbitant demand of supervision/O&M charges raised by the Respondent No. 1 in terms of agreement dated 09.11.2021 along with Interlocutory Application for staying the demand of supervision/O&M charges raised vide letters dated 18.05.2022, 26.05.2022, 01.07.2022, 02.07.2022 and 01.08.2022 (Annexure P-33, 35, 39, 40 and 42) for Rs. 16,38,857.

We have gone through the office report which shows that the Petitioner has deposited only a some of Rs. 35,000/- as court fees whereas as per the HPERC (Conduct of Business) Regulations, 2005, the Petition being under Section 86 (1) (f) of the Electricity Act, the Petitioner is required to pay court fee of Rs. 2,00,000/- as the Project of the Petitioner is a Renewable Energy Generation Project. Besides Petitioner is also required to deposit Rs. 5,000/- as court fee for Interlocutory Application.

Therefore, the Petitioner is directed to make good the deficiency of the court fee amounting to Rs. 1,70,000/- within a period of 15 days from today.

Sh. Vikas Chauhan, Ld. Counsel and Sh. Kamlesh Saklani,

Authorised Representative waives notice on behalf of Respondents No. 1 and 2 respectively and seeks four weeks time for reply. Prayer considered

and allowed. Let reply to the Petition and Interlocutory Application be filed within three weeks with advance copy to the opposite parties and the Petitioner shall file the rejoinder to the replies on receipt of copies of reply well before the next date of hearing.

Notice be issued to the Respondent No. 3 returnable for 24.09.2022 with direction to file reply within period of three weeks with advance copy to the other parties.

List this case on 24.09.2022 at 11.30 AM.

-Sd-

**(Yashwant Singh Chogal)**  
Member (Law)

-Sd-

**(Bhanu Pratap Singh)**  
Member

-Sd-

**(Devendra Kumar Sharma)**  
Chairman