

**M/s Everest Power Pvt. Ltd. & Others Versus The  
HPPTCL.**

**Filing No. 219 of 2024**

**25.09.2024**

Present: Sh. Vipul Sharda, Ld. Counsel for the Petitioner.  
Sh. Vikas Chauhan, Ld. Counsel for the Respondent  
No. 1.

**DAILY ORDER**

Office report seen. Heard. This Petition has been filed by the Petitioner under Sections 86 (1) (a), (f), (k) and 62 (6) of the Electricity Act, 2003 that petitioner is not liable for payment of transmission charges for the period w.e.f. August 2024 onwards on account of occurrence of certain force majeure events affecting the petitioner and restraining the respondent No.1 from levying/imposing transmission charges for the said period and from taking any coercive action.

The Petition be registered, if not already registered.

Sh. Vikas Chauhan, Ld. Counsel appearing on behalf of HPTCL waives notice and seeks time for reply. Let reply be filed within two weeks with advance copy to the parties. The petitioner shall file rejoinder within a week thereafter positively.

A careful perusal of the Petition and the record shows that impleadment of the Directorate of Energy, Himachal Pradesh (DoE) is necessary for adjudication of the controversy in the matter. In the circumstances, the Directorate of Energy, through its Director is ordered to be impleaded as Respondent No. 2 to the Petition. The amended head note be filed. The Petitioner is directed to supply a copy of the Petition to the Respondent No. 2 within a week. Let notice of the Petition be issued to the Respondent No. 2 returnable

for 23.10.2024 with a direction to file its reply within two weeks with advance copy to the opposite parties.

In the meanwhile, no coercive action shall be taken by the respondent No.1 against the petitioner.

List on 23.10.2024 at 11.00 AM.

-sd/-

**(Shashi Kant Joshi)**  
Member

-sd/-

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

-sd-

**(Devendra Kumar Sharma)**  
Chairman

HPERC