

**M/s Flowgen Renewable Energy Pvt. Ltd. Versus the
HPSEBL & others**

Filing No. 331 of 2025

16.07.2025

Present: Sh. L.S. Mehta, Advocate for the Petitioner.

DAILY ORDER

Office report seen. This application has been filed under Regulation 75 of the HPERC(Conduct of Business) Regulations, 2024 for quashing and setting aside the impugned demand raised by the Respondents/HPSEBL towards normative Operation & Maintenance (O&M) charges in respect of the Petitioners Jail SHEP (1.20 MW), being arbitrary, illegal, and contrary to the express mandate of the order dated 23.02.2024 passed by this Commission in Suo-Moto petition No.08/2023, and for declaring that the Petitioner being connected through joint evacuation infrastructure namely, the 33 kV double circuit Jari-Barsaini line with the Respondents is liable to pay only a proportionate share of the normative O&M charges determined by this Commission for generators connected through Solid tap at 33 kV and directing the Respondent to recalculate and levy only the equitable and proportionate O&M charges upon the Petitioner in accordance with its actual connected capacity of 1.20 MW out of the total jointly connected capacity of apox. 27 MW through Solid tap 33 kV alongwith application for stay for demand raised by the Respondent.

From the perusal of the record and the Petition, it appears that the Petitioner has raised a dispute qua the demand of O&M charges with a

declaration that the Petitioner is liable to pay only a proportionate share of the normative O&M charges and for re-calculating and levying only the equitable and proportionate O&M charges. However, the Petitioner has paid the fees of only a Miscellaneous Application. The Petitioner is therefore, directed to satisfy the Commission, on the next date of hearing, as to how the present case can be treated as Miscellaneous Application.

Accompanied to the application, an application under section 151 CPC has also been filed for staying the impend demand raised by the Respondents which is duly supported by an affidavit. This application be registered.

Sh. Kamlesh Saklani, Authorized Representative for the Respondent No.1 & 2 waives notice and seeks time for reply. Let reply be filed within two weeks with advance copy to the opposite parties. Notice to Respondent No. 3 & 4 be also issued returnable for 07.08.2025 with the direction to file the reply within two weeks.

List this case on 07.08.2025 at 11.00 AM for completion of the proceedings and satisfactory explanation about the nature of the Petition.

Till than no coercive action shall be taken against the Petition.

-sd-
(Shashi Kant Joshi)
Member

-sd-
(Yashwant Singh Chogal)
Member (Law)

-sd-
(Devendra Kumar Sharma)
Chairman