

HP STATE ELECTRICITY BOARD LIMITED

(A State Government Undertaking)

Head Office : Vidyut Bhawan, Shimla-171004.

No.HPSEBL(Sectt)/LS/HC/LPAs/

HPSEBL Vs M/S AB Tools Pvt. Ltd./2025-

31903 -

Dated:

25-7-25

To

The Chief Engineer (OP),
Shimla/Hamirpur Zones, HPSEBL,
Shimla/ Hamirpur,HP

Subject: Regarding handling of LPAs in the matter of pre-paid metering issues pending in the Hon'ble High Court of HP at Shimla.

Sir,

In connection with the above, it is stated that following writ petitions were filed by various consumer firms in the Hon'ble High Court of HP at Shimla against the HPSEB Ltd. praying therein for providing pre-paid metering facility and grant of rebate as per tariff order:

- i) CWP No. 1571 of 2022 titled MT Autocraft Vs HPSEBL & Ors.
- ii) CWP No. 2503 of 2022 titled as M/S Vardhman Ispat Udyog Vs HPSEB Ltd.
- iii) CWP No. 9497 of 2023 titled M/S Fujikawa Power Vs HPSEB Ltd.
- iv) CWP No. 9498 of 2023 M/S MT Autocraft Vs HPSEB Ltd. & Others.
- v) CWP No. 2487 of 2014 M/S Prime Steel Industries Vs HPSEB ltd.
- vi) CWP No. 5441 of 2025 M/S AB Tools Pvt. Ltd. Vs HPSEB Ltd.
- vii) CWP No. 3972 of 2023 M/S Kundlas Loh Udyog Vs HPSEB Ltd.

The writ petitions aforesaid came up for hearing before the Hon'ble High Court of HP at Shimla on 23.12.2024 when the Hon'ble High Court has been pleased to allow the writ petitions aforesaid, the operative portion whereof reads as under:

“28. Consequently, in view of detailed discussion as well as law taken into consideration, this Court finds merit in the present petitions and accordingly same are allowed and demand notices in all the petitions are quashed and set-aside. Further, in order to balance the equities, the respondent-Board is directed to make arrangement for supply of electricity to the premises of the petitioners by installing pre-paid meters as per the provision contained under Section 47(5) of the Act. It is further directed that the respondent-Board shall grant incentive of 3% rebate to the petitioners from the date of preparedness of the petitioners to take prepayment meter in terms of Section 47(5) of the Act. Needless to say, petitioners are directed to pay monthly energy charges in advance and amount, if any, of the petitioners lying as security with the respondent-Board, shall be adjusted towards energy charges. However, it is made clear that this arrangement shall continue till respondent-Board is equipped for providing prepaid meter to the petitioners. All pending applications stand disposed of, in all the petitions. Interim directions, in all the cases stand vacated.”

On examination of the matter it was decided to assail the judgement dated 23.12.2024 passed by the Hon'ble Single Bench of the Hon'ble Court before the Hon'ble Division Bench of the Hon'ble High Court of HP at Shimla by means of LPAs.

The LPAs No. 328 of 2025 and No.327 of 2025 in the matter of M/S Kundlas Loh Udyog Vs HPSEB Ltd. and M/S Vardhman Ispat Udyog have since been filed through M/S MSA Partners, New Delhi, which were listed for hearing on 27.6.2025 when the Hon'ble High Court has been pleased to condone the delay in filing the LPAs and it has also been ordered that all the connected appeals which are in the process of filing by the HPSEB Ltd. may also be listed with the aforesaid appeals and the matter has been ordered to be listed before the HHC on 28.07.2025.

The LPAs in other matters have since been filed through Sh. Dhananjay Sharma, Advocate, instructing counsel to Id. Sr. Advocate namely Ms Sunita Sharma, which are under objections. The objections are in the process of being attended to by the field officers concerned.

Needless to state here that the LPA in the matter of HPSEB Ltd. Vs M/S Prime Steel Industries Pvt Ltd. was filed vide filing No. LPA/26486/2025, which was scrutinized by the Registry of the HHC on 13.6.2025 raising therein as many as 11 objections and were, conveyed to the office of Id. Sr. Advocate-Ms Sunita Sharma but to our dismay it has been noted that the said objections were transmitted to the field officer on 21.7.2025 i.e. after a period of about one month alongwith the objections raised in LPA titled HPSEBL Vs M/S MT Autocraft bearing filing No.

LPA/33329/2025 scrutinized on 21.07.2025 by the Registry of the HHC. The objection compliance date in the earlier case was 25.7.2025 while in the later case it is 1.9.2025, thus leaving a short span of time with the HPSEB Ltd. for attending to the objections, which ex-facie appears to be a case of negligence on the part of the office of ld. Sr. Advocate.

However, on re-consideration of the matter by the competent authority & in order to maintain the consistency of stand in all the aforesaid matters, which involves huge financial stakes to the organization, it has been decided to entrust all the aforesaid LPAs for their prosecution for and on behalf of Appellants-HPSEB Ltd. to M/S MSA Partners, New Delhi.

In view of above, you are requested to kindly impart appropriate directions to all the field officers concerned to arrange to collect the briefs of the cases from the office of Sh. Dhananjay Sharma, Advocate, and arrange to hand over the same to M/S MSA Partners, New Delhi for further representation in these appeals, for and on behalf of HPSEB ltd. before the Hon'ble Division Bench of the Hon'ble High Court of HP at Shimla.

Further appropriate and necessary action in pursuance of the orders/ directions of the competent authority may kindly be initiated at your end immediately please.

By Order
Sd/-
Director (Pers),
HPSEBL, Shimla-4.

Copy of above is forwarded to the following for favour of information and necessary action please:

- 1) The Superintending Engineer (op) Circle, HPSEBL, Una.
- 2) The Superintending Engineer (op) Circle, HPSEBL, Solan.
- 3) The Sr. Executive Engineers Elect. Division, HPSEBL, Baddi/ Haroli.
- 4) Sh. Dhananjay Sharma, Advocate, instructing counsel to Ms. Sunita Sharma, Id. Sr. Advocate with the request to apprise the Id. Sr. Advocate of the decision of the competent authority and arrange to hand over the files of the aforesaid appeals to the field officers for further necessary action.
- 5) M/S MSA Partners, New Delhi.
- 6) Spl. PS/Sr/ PS/PS to Chairman,/MD/Director (Pers)/ED(P).
- ✓ 7) Website of the Board/ Guard file.


Executive Director (Pers),
HPSEBL, Shimla-171004.