

CONSUMER GRIEVANCES REDRESSAL FORUM, SHIMLA

Complaint No 1432/202510/29

M/s Claridge Moulded Fibre Limited (Unit-I)

Vs

HP State Electricity Board Ltd & Others

Brief Facts of Complaint:

- (1) Complaint has been filed under regulation 17 of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 by Complainant M/s Claridge Moulded Fibre Limited, Village Malkumajra, P.O. Bhud, Tehsil Nalagarh, District Solan, HP, who is a consumer of HPSEB Ltd bearing consumer ID 100012002956 and the HPSEB Ltd is the distribution licensee and Respondent herein;
- (2) Originally Complainant in the year 2008 had filed complaint No 1426/2/08/019 before the 'Forum for Redressal of Grievances of the Consumers' (or the FRGC). At that time, the complaint was filed before the Ld FRGC under the HPERC (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) Regulations, 2003 notified on 23.10.2003 by the HP Electricity Regulatory Commission (or the HPERC);
- (3) The ibid original complaint filed in the year 2008 was decided by the then Ld FRGC on 30.08.2011. Thereafter, the Respondent Board preferred CWP No 3704 of 2012 before the Hon'ble High Court of Himachal Pradesh and impugned the said Order passed by the Ld FRGC. Vide Judgement / Order passed on 11.11.2019, the Hon'ble Court set aside the said impugned Order dated 30.08.2011 passed by the Ld FRGC and disposed the said petition;
- (4) While setting aside the impugned Order dated 30.08.2011 passed by the Ld FRGC, the Hon'ble Court vide ibid Judgement / Order passed on 11.11.2019, was pleased to remand the matter back to the Forum with directions to adjudicate upon the complaint afresh after hearing

the parties and by passing a reasoned and speaking order based upon the pleadings already on record. For the sake of convenience, the relevant extract of the Hon'ble Court's Order are reproduced hereinafter --

"..... 6. This Writ Petition is accordingly disposed of by setting aside Annexure P-3 i.e. order dated 30.08.2011, passed by the Forum for redressal of grievances of Himachal Pradesh State Electricity Board Consumers. The matter is remanded back to the said Forum with the direction to adjudicate upon the complaint filed before it by the private respondent afresh after hearing all the parties and by passing a reasoned and speaking order. The order shall be passed on the basis of the pleadings which are already on record before the learned Forum.

7..... the petitioner-Board shall not force the respondent to pay any additional disputed sum during the pendency of the complaint before the learned Forum, nor the respondent shall press the petitioner-Board to release money which it has paid to the petitioner during the pendency of the complaint...."

- (5) In terms of the ibid Judgment / Orders passed by the Hon'ble Court on 11.11.2019, the Respondent on 24.09.2024 filed an Application before this Forum (CGRF) for hearing the complaint afresh. Forum registered the complaint as 1426/2/08/019-1432/202409/31 and after its adjudication, decided the matter by passing reasoned and speaking Order on 16.11.2024;
- (6) In the said Order dated 16.11.2024 passed by the Forum on 16.11.2024, the monetary demand raised by the Respondent on 08.04.2004 / 11.05.2004 for Rs 30,09,000/- was set aside by the Forum with directions to the Respondent to refund Rs 7,52,250/- paid by the Complainant as 25% of disputed amount by the Complainant at the behest of Orders passed by the Ld FRGC on 23.08.2008 in the matter;
- (7) The Complainant now is again before the Forum praying for allowing Interest w.e.f 23.04.2008 in terms of code 5.7.3 of the HP Electricity Supply Code (Second Amendment) Regulation, 2018 on the refund amount of Rs 7,52,250/- made by the Respondent on 08.04.2025.

ORDER

- (8) Forum has examined the relevant provisions of The Electricity Act, 2003, various relevant Regulations framed by the HP Electricity Regulatory Commission (or the HPERC) including the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 and the HP Electricity Supply Code, 2009 and amendments thereto;
- (9) In the instant matter, during the course of proceedings in the matter, at the outset Forum finds that it had passed Orders on 06.12.2025 to tag/attach the complete original case file No 1426/2/08/019-1432/202409/31 filed by the Complainant. Forum has gone through the said case / complaint No 1426/2/08/019-1432/202409/31 and Order dated 16.11.2024 passed by the Forum in the said complaint;
- (10) During the final hearing in the matter, the Respondent placed on record the Order passed by Ld Ombudsman on 09/07/2025 in case / complaint No 12/2025 preferred in the matter by the Complainant before the Ld Ombudsman;
- (11) Forum has heard the parties present on the date of final hearing. The considered opinion of the Forum has been gathered after considering the fair facts, evidences and correspondence placed on record and arguments adduced by the parties present;
- (12) Forum observes that the Complainant in the instant complaint is claiming 'Interest' on refund amount of Rs 7,52,250/-, which was allowed by this Forum (CGRF) vide its Orders passed on 16.11.2024. This amount of Rs 7,52,250/- had been paid by the Complainant at the behest of Orders passed by the Ld FRGC on 23.08.2008;
- (13) Forum from examination of original case observes that when the original complaint No 1426/2/08/019-1432/202409/31 was decided by this Forum (CGRF) and Order passed by it on 16.11.2024, at that time the issue of Interest was never before it and therefore the

Forum did not pass any Orders with regard to 'Interest' now being claimed in the instant complaint. Forum also does not find any separate prayer for claim of 'Interest' that may have been made by the Complainant during the adjudication of said original complaint No 1432/202409/31;

- (14) Forum observes that the instant complaint has been filed after a complaint No 12/ 2025 was filed by the same Complainant in the matter before the Ld Ombudsman and Order passed by the Ld Ombudsman in the said complaint on 09.07.2025;
- (15) From perusal of regulation 28(b) of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, Forum finds that if the Complainant is not satisfied with the Orders passed by the Forum then it is entitled to file Representation before the Ld Ombudsman against Orders passed by the Forum;
- (16) From perusal of regulation 33(e) of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, Forum further finds that the Ld Ombudsman may entertain Complainant's Representation if the Complainant is not satisfied with the redressal of its grievance by the Forum;
- (17) Forum has gone through the said Order dated 09.07.2025 passed by the Ld Ombudsman in representation / complaint No 12/ 2025 filed before it by the Complainant;
- (18) From perusal of ibid Order passed by the Ld Ombudsman on 09.07.2025, Forum in para 2(g) to para 2(h) of the said Order finds that the Complainant had raised the matter of 'Interest' before the Ld Ombudsman and the Ld Ombudsman in para 8 to para 11 of the said Order had considered the same and thereafter passed the said Order dated 09.07.2025;
- (19) In this regard, Forum finds the following provisions in regulation 19(a) of the HPERC (Consumer Grievances Redressal Forum and

Ombudsman) Regulations, 2013 (or the CGRF Regulations) which is reproduced hereinafter:-

“19. Limitations/ pre-conditions for submission of grievance. - The Forum may reject the grievance at any stage under any or more of the following circumstances:-

(a) in cases where proceedings in respect of the same matter and between the same Complainant and the licensee are pending before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority;”

(20) In view of foregoing, Forum concludes that once the matter has been raised by the Complainant before the Ld Ombudsman and appropriate Orders passed by the Ld Ombudsman, then in view of the ibid provisions of regulation 19(a) of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, the instant complaint ceases to remain maintainable before this Forum, such in the view of this Forum having already been adjudicated by the Ld Ombudsman.

On aforesaid terms the complaint is ‘**Dismissed**’ and accordingly disposed. Parties are left to bear their own costs.

Order is announced before the parties present today on 27.12.2025 at Shimla in open Forum.

Certified copies of this Order be supplied to the parties. The complaint along with this Order be consigned to record room for safe custody.

Date: 27.12.2025
Shimla

--Sd--
Vikas Gupta
(Member)

--Sd--
Tushar Gupta
(Chairperson)

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9.

Complaint No.: - 1432/202510/29

Date of Receipt: - 16.10.2025

**Quorum: - Er. Tushar Gupta, Chairman
Er. Vikas Gupta, Member**

In ref:-

M/s Claridge Moulded Fiber Ltd.
Village Malkumajara PO Bhund
Tehsil Nalagarh distt. Solan HP

Complainant

V/s.

HPSEBL & Others.

Respondents

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Assistant Engineer,
Electrical Sub-Division No.II
HPSEBL, Nalagarh
Distt. Solan (H.P.)

Respondents

Final hearing: - 06.12.2025.

Counsels:-

Complainant 1. Miss Narvada Vice of Sh. O.C Sharma Adv.

Respondent 1. Sh. Rajesh Kashyap Adv.

2. Sh. Kamlesh Saklani Under Secretary Law.

Date of Decision: -27.12.2025

Notice

Registered

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.

No. CGRF/Complaint No. 1432/202510/29

Dated:-

M/s Claridge Moulded Fiber Ltd.
Village Malkumajara PO Bhund
Tehsil Nalagarh distt. Solan HP

Complainant

V/s.

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Respondents

Complaint No. 1432/202510/29

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HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Assistant Engineer,
Electrical Sub-Division No.II
HPSEBL, Nalagarh
Distt. Solan (H.P.)

Respondents

The Certified copy of final order dated 27.12.2025 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/ intimated within one month after the receipt of order in the office.

DA:-As above.

Secretary,
Consumers Grievances Redressal Forum,
HPSEBL, Kasumpti Shimla-9.