

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 153/MP/2025

Subject : Petition under Section 79(1)(f) of Electricity Act, 2003 seeking (i) quashing of supplementary invoice dated 15.11.2024 raised by NHPC Limited towards water tax (ii) directions to NHPC Limited restraining it from further raising supplementary bills for water tax upon UPPCL and uploading the same on PRAAPTI Portal and (iii) directions to Power Finance Corporation Limited/Grid Controller of India Limited to not regulate power with respect to UPPCL on account of default in payment of supplementary bill dated 15.11.2024.

Petitioner : UPPCL and 4 others

Respondents : NHPC and 2 others

Date of Hearing : **16.7.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Abhishek Kumar, Advocate, UPPCL
Ms. Shubham Mudgil, Advocate, UPPCL
Shri Rajiv Shankar Dwivedi, Advocate, NHPC
Shri Sushant Sarkar, Advocate, NHPC
Shri Aman Mahajan, NHPC
Shri Mukesh Kumar Meena, NHPC

Record of Proceedings

During the hearing, the learned counsel for the Petitioner made detailed submissions in support of the prayers sought in the Petition and sought a refund of the amount paid pursuant to the supplementary invoice dated 15.11.2024 raised by the Respondent, NHPC.

2. The learned counsel for the Respondent, NHPC, submitted that the supplementary invoices were raised in compliance with the interim order dated 12.7.2022 passed by the Hon'ble High Court of Uttarakhand. He further submitted that the reliefs sought in the present Petition are confined to seeking a stay of the supplementary invoice dated 15.11.2024 and restraining consequential action, and that the Petition does not contain any prayer for refund of the amounts already paid. He added that the entire amount recovered from the beneficiaries has already been deposited with the Government of Uttarakhand, and the same shall be refunded to the beneficiaries upon receipt of the corresponding refund from the State Government. Accordingly, the learned counsel submitted that, in the absence of an appropriate amendment incorporating the prayer for refund, the present Petition is not maintainable to that extent.

3. In rejoinder, the learned counsel for the Petitioner submitted that the present Petition had been filed prior to the judgment dated 27.4.2026 passed by the Hon'ble High Court of Uttarakhand in Special Appeal No. 131 of 2021. He further requested liberty to file an Interlocutory Application (IA) seeking amendment of the Petition in view of the subsequent developments.

4. The Commission, after hearing the parties, permitted the Petitioner to file an IA for amendment of the Petition within two weeks. The Respondents were directed to file their replies on the IA within two weeks with an advance copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter.

5. The **Petition along with the IA** shall be listed for hearing on **22.9.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)