

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 17/RP/2026

Subject : Review Petition under Section 94(1)(f) of the Electricity Act, 2003 read with Order 47 Rule 1, Section 151 and 152 of the Code of Civil Procedure, 1908 and Regulation 52 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking review of the Order dated 28.02.2026 passed in Petition No. 126/MP/2017.

Petitioner : Uttar Haryana Bijli Vitran Nigam Limited and Ors.

Respondent : Power System Operation Corporation Limited and Ors.

Date of Hearing : **13.10.2026**

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

Parties Present : Ms. Poorva Saigal, Advocate, HPPC
Ms. Kaavya Madaan, Advocate, HPPC
Shri Alok Shankar, Advocate, CTUIL

Record of Proceedings

The learned counsel for the Review Petitioners submitted that the present Review Petition has been filed seeking review of the Commission's order dated 28.2.2026 passed in Petition No. 126/MP/2017, on the limited ground that the impugned order considers the total principal amount as Rs. 711.44 crore, based on the affidavit dated 16.10.2025, instead of the revised amount of Rs. 717.65 crore, as reflected in the reply submissions dated 24.2.2026. The learned counsel submitted that, while determining the principal amount at Rs. 711.44 crore, the Commission, vide order dated 28.2.2026, relied upon the computations furnished by the Petitioners in their affidavit dated 16.10.2025. However, the Petitioners, through their subsequent affidavit dated 24.2.2026, had submitted a revised computation of Rs. 717.65 crore in place of the earlier amount of Rs. 711.44 crore. The learned counsel further submitted that the Respondent, CTUIL, filed its reply only yesterday and sought liberty to file a rejoinder within 10 days.

2. In response, learned counsel for the Respondent, CTUIL, submitted that a reconciliation had been undertaken between CTUIL and the Review Petitioners on the basis of the affidavit dated 16.10.2025, and, accordingly, the Commission had relied upon the said affidavit while passing the final order. Learned counsel further submitted that CTUIL and the Review Petitioners had reconciled the amount refundable up to 31.3.2018, and the affidavit dated 16.10.2025 reflected the reconciled amount of Rs. 711.44 crore up to April 2018. However, in the subsequent affidavit dated 24.2.2026,



which was not part of the reconciliation exercise, the Review Petitioners claimed a revised amount of Rs. 717.65 crore. The learned counsel further pointed out that the Review Petitioners have not furnished any explanation as to why they could be include the amount of Rs. 717.65 crore in their affidavit dated 16.10.2025, especially since, according to them, the said difference was on account of the Bill-3 raised in the year 2020. The learned counsel emphasised that the Commission, in the order dated 28.2.2026, consciously considered the amount indicated by the Review Petitioners in their affidavit dated 16.10.2025, rather than in the subsequent affidavit dated 24.2.2026, and the present Review Petition is therefore not maintainable.

3. In rebuttal, the learned counsel for the Review Petitioners, while placing reliance on the APTEL's judgment dated 18.11.2024 in RP No.3/2024, submitted that the non-consideration of a material statement or submission made by a party constitutes a valid ground for review. Learned counsel further clarified that the difference between the two computations arose on account of Revised PoC Bill No. 3, issued by CTUIL on 1.1.2020, wherein an incorrect and higher LTA quantum had been considered, and the same was clarified in paragraphs 16-18 of their affidavit dated 24.2.2026.

4. After hearing learned counsel for the Parties, the Commission permitted the Review Petitioners to file their rejoinder within ten days.

5. Subject to the above, the Commission reserved the matter for order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)