

Gopal Stone Crusher v. H.P. State Electricity Board Ltd. and others

CWP No.5057 of 2026

10.04.2026 Present: Mr. Ankit Dhiman, Ms. Yamini Agnihotri and Ms. Shruti Sharma, Advocates, for the petitioner.

Ms. Sunita Sharma, Senior Advocate with Mr. Mohit Sankhyan, Advocate, for respondent No.1-HPSEBL.

Mr. Sushant Keprate, Additional Advocate General, for respondents No.2 and 3-State.

CWP No.5057 of 2026

Notice. Mr. Mohit Sankhyan, learned counsel and Mr. Sushant Keprate, learned Additional Advocate General, appear and waive service of notice on behalf of respondent No.1 and respondents No.2 and 3, respectively.

2. Learned counsel for the respondents submit that issue involved in the present case is legal in nature which is similar to the issue involved in CWP No.15413 of 2024, and, therefore, no separate reply is required to be filed in this petition and this petition can be decided on the basis of material on record in CWP No.15413 of 2024.

3. In view of above, list before appropriate Bench on **23.04.2026** alongwith CWP No.15413 of 2024.

CMP No.7268 of 2026

4. The petitioner's grievance is that vide Annexure P-3 the rate of electricity w.e.f. 20.07.2017 in respect of large industrial consumers and medium industrial consumers has been fixed at 11%, but the same has been enhanced to 25% vide Annexure P- 4, dated

01.09.2023 and further enhanced from 25% to 37.50% by the Notification dated 18.01.2024 (AnnexureP-5) and this is contrary to sub section (2) of Section 11 of the Himachal Pradesh Electricity (Duty) Act, 2009, which permits the State Government to revise the rates of electricity duty through a Notification without exceeding 50% at any one time of the rates earlier specified under Section 3 thereof. Since, admittedly, the increase from 11% to 25% and further to 37.50% *prima facie* appears to be contrary to sub Section (2) of Section 11 of the Act, the respondents are restrained from collecting electricity duty beyond 16.5% in respect of medium industries and large industries.

5. Alteration/vacation/modification on motion.
6. The application to stand disposed of.

(Jyotsna Rewal Dua)
Judge

(Ranjan Sharma)
Judge

April 10, 2026
[Bhardwaj]