

HPSEB Ltd. vs. M/s Prime Steel Industries Pvt. Ltd & Ord.

**CWP No. 6625/2021 with
CWP No. 323 of 2022**

20.07.2022 Present: **CWP No. 6625 of 2021** Mr Bimal Gupta, Sr. Advocate with Mr. Satish Sharma and Mr. Gurinder Singh, Advocates, for the petitioners.

Mr. Shrawan Dogra, Sr. Advocate with Mr. Manik Sethi, Advocate, for respondent No. 1.

Mr. Ankush Dass Sood, Sr. Advocate with Mr. Aman Parth Sharma, Advocate, for respondent No. 4.

CWP No. 323 of 2022

Mr. B. C. Negi, Sr. Advocate with Mr. Manik Sethi, Advocate, for the petitioner.

Mr. Vikrant Thakur, Advocate, for the respondents.

Mr Bimal Gupta, Sr. Advocate with Mr. Satish Sharma and Mr. Gurinder Singh, Advocates, for the applicant in CMPs No. 842 & 843 of 2022.

CWP No. 6625 of 2021

Learned counsel for the petitioners does not dispute the existence of the documents dated 25.04.2022 (Annexure A-1 of CMP No. 9513 of 2022) and letter dated 20.12.2021 to the effect that the dedicated line that was constructed entirely by M/s Rama Steel by investing an amount of approximately Rs.191.40 lacs and currently there are three users of the dedicated line being M/s Prime Steel Pvt. Ltd, which was given connection on 01.11.2019, M/s Eastman Auto Ltd, which was given connection on 03.01.2020 and M/s Friends Alloys, which was given connection on 01.02.2022.

An amount of Rs. 95.70 lacs towards cost sharing has been recovered from M/s Eastman Auto Ltd., as mentioned in letter dated 20.12.2021. As regards, M/s Friends Alloys, there is no mention of the cost sharing.

In view of the aforesaid position, let petitioner file supplementary affidavit clearly stating therein as to how it has appropriated an infrastructure that was created by M/s Rama Steel out of its own pocket by treating the same as its own and has imposed additional cost towards cost sharing on M/s Eastman Auto Ltd. and why the cost share has not been recovered from M/s Friends Alloys.

The needful be done within three weeks. However, in the meanwhile, the petitioner-Board is restrained from releasing the amount of Rs. 95.75 lacs collected from M/s Eastman Auto Ltd. as aforesaid.

List on 17.08.2022. In the meanwhile, order dated 04.01.2022 be also complied with.

(Tarlok Singh Chauhan)
Judge

(Chander Bhusan Barowalia)
Judge

July 20, 2022
(sanjeev)