

M/s. Mahunta Mining & Manufacturing Co. Pvt. Ltd. Vs. HPSEBL & Ors.

CWP No. 11395 of 2026

10.07.2026 *Present:* Mr. Shriyek Sharda, Advocate, for the
applicant/petitioner.

Ms. Harshita Dogra, Advocate, vice Mr. Dhananjay Sharma, Advocate, for respondent No.1-HPSEBL.

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

CWP No. 11395 of 2026

Notice. Ms. Harshita Dogra, Advocate, under instructions of Mr. Dhananjay Sharma, Advocate and Mr. Sushant Keprate, learned Additional Advocate General, appear and waive service of notice on behalf of respondent No. 1 and respondents No. 2 & 3-State, respectively.

It has been submitted that issue involved in present matter is similar to issue involved in CWP No. 15413 of 2024 and the present petition can be adjudicated on the basis of pleadings in the said petition. Therefore, no separate reply is intended to be filed in present petition.

In view of above, this matter be listed alongwith CWP No. 15413 of 2024 on **24.08.2026**.

CMP No. 16816 of 2026

Heard.

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 1.9.2023 and further enhanced from 25% to 37.50% by the Notification

dated 18.01.2024 (Annexure P-5) and this is contrary to sub section (2) of Section 11 of the CMP No. 6305 of 2026 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 1.9.2023 and further enhanced from 25% to 37.50% by the Notification dated 18.01.2024 (Annexure P-5) and this is contrary to sub section (2) of Section 11 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.

Alteration/vacation/modification on motion.

The application stands disposed of.

(Vivek Singh Thakur)
Judge

(Ranjan Sharma)
Judge

10th July, 2026
(Shamsh Tabrez)