



CGHC010231512023



2026:CGHC:36811

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 3256 of 2023**

1 - Jindal Steel & Power Ltd. A Company Registered under the Provisions Of Companies Act, 1956, having its corporate office at Jindal Centre, 12 Bhikaji Cama Place, New Delhi-110066

2 - Pinaki Bhattacharjee Shareholder of Petitioner No.1 Company, Working as President, Jindal Steel & Power Ltd. having its corporate Office at Jindal Centre, 12 Bhikaji Cama Place, New Delhi-110066

... Petitioner(s)**versus**

1 - Chhattisgarh State Electricity Regulatory Commission, Irrigation Colony, Shanti Nagar, Raipur, Chhattisgarh. 492001

2 - Chhattisgarh State Power Distribution Company Limited, Energy Info Tech Centre, Shed No.8, Chhattisgarh State Power Company Campus, Daganiya, Raipur, Chhattisgarh.- 492013

3 - Chhattisgarh State Power Transmission Company Limited, Energy Info Tech Centre, Daganiya, Raipur, Chhattisgarh.- 492013

... Respondent(s)

(Cause Title downloaded from CIS Periphery)

For Petitioner(s)	:	Mr. Gopal Jain, Senior Advocate appears through VC along with Mr. Bhaskar Payashi, Advocate
For Respective Respondents	:	Mr. Adhiraj Surana, Advocate and Mr. Varun Sharma, Advocate

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

18/08/2026

1. By way of this petition, the petitioners seek the following reliefs :

10.1 Admit the present Petition and set aside the Impugned Demand notice dated 23.09.2022 issued by Respondent No.1, Chhattisgarh State Power Distribution Company Limited;

10.2 Declare that Petitioner No.1 is not liable to refund Rs.27.11 Crore to the Chhattisgarh State Power Distribution Company Ltd. in relation to the power supplied to it for FY 2013-14 or for any subsequent tariff period;

10.3 Pass any such other Order or Orders as this Hon'ble Court may deem fit and proper in facts of the present case.

2. At the outset, learned Senior Counsel for the petitioners submits that the matter is squarely covered by the order dated 2.6.2026 passed in WA No. 379/2026, whereby, the Division Bench remanded the matter to the authorities concerned with a direction

to decide the matter afresh after affording full opportunity of hearing to the Petitioner-Company and thereafter, pass appropriate orders in accordance with law within a period of 2 months. It was further directed that till then, the effect and operation of the Demand Notice therein and the earlier judgment and letters shall be kept in abeyance. The relevant paragraphs of the order dated 2.6.2026 are reproduced below :

49. In view of the above discussion, this Court is of the considered opinion that the view taken by the learned Single Judge in dismissing the writ petition filed by the appellants/writ petitioners is palpably incorrect and as such, the order dated 30.03.2026 passed by the learned Single Judge in WPC No. 1927/2016 is set aside. It is directed that the the appellant- Company shall be afforded an opportunity of hearing and put forth its submissions before the learned Regulatory Commission in the proceedings relating to tariff order of CSPDCL and final true-up. After hearing the appellant-Company, the respondent No. 1/Commission may proceed to hear and decide the matter afresh, in accordance with law. Liberty is reserved to the respondents, if so advised, to initiate appropriate proceedings for adjudication of their claims in accordance with law after impleading the appellants and affording them full opportunity of hearing. Any such proceedings shall be decided independently on their own merits without being influenced by observations, if any, contained in this judgment and till such adjudication is undertaken and liability, if any, is duly determined, the appellants shall not be denied NoC/open access solely on the basis

of the impugned disputed demand. Needless to state that any such exercise shall be concluded by the learned Regulatory Commission preferably within a period of two months from the date of receipt of a copy of this judgment, if there is no legal impediment. Further, in case, any party is aggrieved by the outcome of the order passed by the learned Commission, and the same is challenged before the Appellate Tribunal, the Appellate Tribunal shall decide the same preferably within a further period of two months, as substantial period has already been passed.

50 Till then, the effect and operation of the judgment dated 26.05.2016 (Annexure P/1 to the writ petition) passed by the learned Appellate Tribunal, the demand notice dated 07.07.2016 (Annexure P/2 to the writ petition) demanding refund of Rs. 153.55 Crores, the letter dated 21.07.2016 (Annexure P/3 to the writ petition), the letter dated 25.07.2016 (Annexure P/4 to the writ petition) issued by the respondent No. 2/CSPDCL, shall be kept in abeyance.

3. Learned counsel for respondent No.1 (CG State Electricity Regulatory Commission) as well as learned Counsel for respondents 2 & 3 have not opposed the prayer made by learned Senior Counsel for the petitioners. They submit that under similar circumstances, the order dated 2.6.2026 has been passed in WA No.379/2026 and the present petition may also be disposed of in similar terms.
4. Considering the facts and circumstances of the case as also considering the submissions advanced by learned counsel for the

parties, this Writ petition is disposed of in terms of the order dated 2.6.2026 passed in WA No379/2026.

5. Consequently, the Demand Notice 23.9.2022 is hereby quashed and the matter is remanded to the concerned authority for a fresh decision in accordance with law, after granting due opportunity of hearing to the petitioners.
6. With the aforesaid observations/directions, the Petition is finally disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay