

**COURT - I**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)**

**APPEAL NO. 63 OF 2017 &  
IA NOS. 168 & 169 OF 2017**

**Dated: 10<sup>th</sup> April, 2017**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. I.J. Kapoor, Technical Member**

**In the matter of :**

**M/s Dalmia Cement (Bharat) Ltd.**

**...Appellant(s)**

**Vs.**

**Karnataka Electricity Regulatory Commission & Ors.**

**...Respondent(s)**

Counsel for the Appellant(s) : Mr. Anantha Narayan M.G.  
Mr. Shridhar Prabhu

Counsel for the Respondent(s) : Ms. Pratiksha Mishra for R-2 to R-5

**ORDER**

**I.A. No. 168 of 2017  
(Appl. for stay)**

It is pointed out by learned counsel for the Appellant that while issuing notice on Appeal No. 276 of 2016 on 10.11.2016, this Court has stayed the impugned order. The relevant portion of the said order reads as under:

***“We are informed by Mr. M.G. Ramachandran, learned counsel appearing for the Appellant that the State Commission vide its Order, dated 07.10.2016, has stayed the impugned order in Review Petition being R.P. No. 8 of 2016 filed by Hare Krishna Metallics Private Limited. Learned counsel states that in view of this development recovery ordered by the State Commission be stayed.***

***Having perused the Order, dated 07.10.2016, passed by the***

***State Commission in R.P. No. 8 of 2016, without expressing any opinion on the merits of the case and without prejudice to the rights and contentions of the respondents, we stay the impugned order till 24.11.2016.”***

In view of the above, without expressing any opinion on the merits of the case and without prejudice to the rights and contentions of the Respondents, we stay the impugned order till 04.05.2017.

List the matter on **04.05.2017**. In the meantime, pleadings be completed.

**(I. J. Kapoor)**  
**Technical Member**

*ts/kt*

**(Justice Ranjana P. Desai)**  
**Chairperson**