

**COURT-I**

**BEFORE THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(APPELLATE JURISDICTION)**

**O.P. No. 1 of 2016**

**Dated : 11<sup>th</sup> August, 2016**

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

**In the matter of:**

**M/s Dwarikesh Sugar Industries Ltd. ... Appellant(s)  
Vs.  
Uttar Pradesh Electricity Regulatory Commission & Anr. ... Respondent(s)**

Counsel for the Appellant(s) : Mr. Buddy A. Ranganadhan  
Mr. D.V. Raghu Vamsy  
Mr. Raunak Jain

Counsel for Respondent(s) : Mr. C.K. Rai  
Mr. Paramhans for R-1  
  
Mr. Raghu Srivastava  
Ms. Gargi Srivastava for R-2/UPPCL

**ORDER**

On 08.08.2016, the Supreme Court has passed the following Order:

**"I.A. No. 5**

***Heard.***

***We do not see any merit in I.A. No. 5 (Application for early hearing), which is hereby is dismissed.***

**I.A. No. 6 of 2016**

***Subject to the appellant paying the principal amount of Rs. 33,78,610/- to the respondent, recovery of the balance amount in terms of the impugned order shall remain stayed pending further orders from this court. The payment shall be made within four weeks and shall remain subject to the ultimate outcome of the appeal"***

Counsel for the parties are agreed that in view of the above order of the Supreme Court, the present Original Petition has become infructuous. Hence, this petition is dismissed as infructuous.

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

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

ts/kt