

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)

APPEAL NO. 256 OF 2018
& IA No. 1039 OF 2018

Dated: 4th December, 2018

Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of :

**Chhattisgarh State Power Distribution Company
Limited**

.... Appellant(s)

Versus

M/s Shanti GD Ispat & Power Pvt. Ltd. & Anr.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Apoorv Kurup
Mr. A.C.Boxipatro
Ms. Nidhi Mital

Counsel for the Respondent(s) : Mr. Raunak Jain
Mr. Vishvendra Tomar for R-1

Mr. C.K.Rai
Mr. Sachin Dubey for R-2

ORDER

IA NO. 1039 OF 2018
(Application for stay)

Heard learned counsel for Appellant as well as Respondents on IA No. 1039 of 2018.

In this appeal, Order dated 8-5-2018 passed by the Chhattisgarh Electricity Regulatory Commission is challenged. We have admitted the

appeal. In this stay application, the appellant has prayed that the impugned order be stayed.

It appears that the amount which the Appellant is required to pay as per the impugned order would be Rs.40,94,381/- with accrued interest till date. In the facts and circumstances of the case, in our opinion, following order will meet the ends of justice:

The appellant shall deposit an amount of Rs.40,94,381/- with the State Commission within three weeks from today. On such deposit being made, the State Commission shall invest the said amount in a fixed deposit in any nationalized bank. The State Commission shall further ensure that the fixed deposit will be renewed from time to time till disposal of the present appeal. The amount deposited with accrued interest shall abide by the final order that would be passed in this appeal. Appropriate orders will be passed at the time of final hearing.

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Learned counsel for Respondents may file reply on or before 15-1-2019 with advance copy to the other side. Thereafter, Appellant may file rejoinder on or before 5-2-2019 with advance copy to the other side.

List the matter on **28-2-2019**.

(S.D. Dubey)
Technical Member
tpd/pk

(Justice Manjula Chellur)
Judicial Member