

**COURT-I**

Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)

**Appeal No. 97 of 2014, Appeal No. 151 of 2013, Appeal No. 98 of 2014, Appeal No. 100 of 2013, Appeal No. 91 of 2014, Appeal No. 100 of 2014, Appeal No. 115 of 2014, Appeal No. 133 of 2014, Appeal No. 124 of 2014 Appeal No. 139 of 2014, Appeal No. 99 of 2014, Appeal No. 104 of 2014, Appeal No. 116 of 2014 Appeal No. 134 of 2014, Appeal No. 125 of 2014, Appeal No. 44 of 2014, Appeal No. 74 of 2014, APPEAL NO. 218 OF 2014, APPEAL NO. 166 OF 2014, APPEAL NO. 296 OF 2013, APPEAL NO. 78 OF 2015, APPEAL NO. 42 of 2015 and IA NO. 443 OF 2014 IN DFR NO. 2635 OF 2014**

**Dated : 1<sup>st</sup> December, 2015**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. T. Munikrishnaiah, Technical Member  
Hon'ble Mr. I.J. Kapoor, Technical Member**

**In the matter of:-**

**Appeal No. 97 of 2014**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Apoorva Karol  
Mr. Vaibhav Tyagi

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
Mr. Dhananjay Baijal for R-1

Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Amit Kapur  
Mr. Apoorva Misra  
Mr. Abhishek Munot &  
Mr. Kunal Kaul for R-2

**Appeal No. 151 of 2013 &  
I.A. No. 220 of 2013 & I.A. No. 412 of 2014**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Apoorva Karol  
Mr. Vaibhav Tyagi

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
Mr. Dhananjay Baijal for R-1

Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Amit Kapur  
Mr. Apoorva Misra  
Mr. Abhishek Munot &  
Mr. Kunal Kaul for R-2

**Appeal No. 98 of 2014 &  
I.A. Nos. 343 & 402 of 2014**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Apoorva Karol  
Mr. Vaibhav Tyagi

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
Mr. Dhananjay Baijal for R-1

Mr. Amit Kapur,  
Ms. Poonam Verma and  
Mr. Gaurav Dudeja for Adani

Mr. Malav Deliwala and  
Mr. Jatin J. for APL

**Appeal No. 100 of 2013 &  
I.A. No. 116 of 2013**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr.  
(Jointly through Haryana Power Purchase Centre) ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Apoorva Karol  
Mr. Vaibhav Tyagi

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
Mr. Dhananjay Baijal for R-1

Mr. Amit Kapur,  
Ms. Poonam Verma and  
Mr. Gaurav Dudeja for Adani

Mr. Malav Deliwala and  
Mr. Jatin J. for APL

**Appeal No. 91 of 2014**

Ajmer Vidyut Vitran Nigam Ltd. & Ors. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Sanjay Jain, ASG  
Mr. Nitish Gupta

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
Mr. Dhananjay Baijal for R-1

Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Amit Kapur  
Mr. Apoorva Misra  
Mr. Abhishek Munot &  
Mr. Kunal Kaul for R-2

**Appeal No. 100 of 2014**

Punjab State Power Corporation Ltd. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Anand K. Ganesan  
Ms. Ishan Mukherjee

Counsel for the Respondent(s) : Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Amit Kapur  
Mr. Apoorva Misra  
Mr. Abhishek Munot &  
Mr. Kunal Kaul for R-2

**Appeal Nos. 115 of 2014**

Gujarat Urja Vikas Nigam Ltd. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Aditya Dewan

Counsel for the Respondent(s) : Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Amit Kapur  
Mr. Apoorva Misra  
Mr. Abhishek Munot &  
Mr. Kunal Kaul for R-2

**Appeal No. 133 of 2014 &**  
**I.A. No. 234 of 2014**

Prayas Energy Group ... Appellant(s)  
*Versus*  
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
 Mr. Anand K. Ganesan  
 Ms. Ranjitha Ramachandran  
 Mr. Shubham Arya  
 Mr. Kumar Mihir  
 Mr. Avinesh Menon  
 Ms. Poorva Saigal  
 Ms. Ishan Mukherjee

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
 Mr. Dhananjay Baijal for R-1  
  
 Mr. C.S. Vaidyanathan, Sr. Adv.  
 Mr. Amit Kapur  
 Mr. Apoorva Misra  
 Mr. Abhishek Munot &  
 Mr. Kunal Kaul for R-2

**Appeal No. 124 of 2014**

Energy Watchdog ... Appellant(s)  
*Versus*  
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) :

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
 Mr. Dhananjay Baijal for R-1  
  
 Mr. C.S. Vaidyanathan, Sr. Adv.,  
 Mr. Amit Kapur,  
 Mr. Apoorva Misra,  
 Mr. Abhishek Munot &  
 Mr. Kunal Kaul for R-2

**Appeal No. 139 of 2014 &**  
**I.A. No. 238 of 2014**

Maharashtra State Electricity Distribution Co. Ltd. ... Appellant(s)  
*Versus*  
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Vikash Singh, Sr. Adv.  
 Mr. Varun Aggarwal

Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
Mr. Dhananjay Baijal for R-1

Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Amit Kapur  
Mr. Apoorva Misra  
Mr. Abhishek Munot &  
Mr. Kunal Kaul for R-2

**Appeal No. 99 of 2014**

Haryana Power Purchase Center ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
Ms. Ranjitha Ramachandran  
Mr. Shubham Arya  
Ms. Poorva Saigal

Counsel for the Respondent(s) : Mr. Saurabh Mishra for R-1

Mr. Amit Kapur  
Mr. Vishrov Mukher for R-2

Mr. G. Umapathy and  
Ms. R. Mekhala for R-3

Mr. Parinay D. Shah and  
Mr. Saransh Shaw for R-11

**Appeal No. 104 of 2014**

Ajmer Vidyut Vitran Nigam Ltd. & Ors. ... Appellant(s)  
*Versus*  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
Ms. Ranjitha Ramachandran  
Mr. Shubham Arya  
Ms. Poorva Saigal

Counsel for the Respondent(s) : Mr. Saurabh Mishra for R-1

Mr. Amit Kapur  
Mr. Vishrov Mukherjee for R-2

Mr. G. Umapathy and  
Ms. R. Mekhala for R-3

Mr. Parinay D. Shah and  
Mr. Saransh Shaw for R-8

**Appeal No. 116 of 2014**

Gujarat Urja Vikas Nigam Ltd. ... Appellant(s)  
*Versus*  
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Aditya Dewan  
 Counsel for the Respondent(s) : Mr. Amit Kapur,  
 Ms. Poonam Verma and  
 Mr. Gaurav Dudeja for Adani  
 Mr. Malav Deliwala and  
 Mr. Jatin J. for APL

**Appeal No. 134 of 2014**

Prayas Energy Group ... Appellant(s)  
*Versus*  
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
 Mr. Anand K. Ganesan  
 Ms. Ranjitha Ramachandran  
 Mr. Shubham Arya  
 Mr. Kumar Mihir  
 Mr. Avinesh Menon  
 Ms. Poorva Saigal  
 Ms. Ishan Mukherjee  
 Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
 Mr. Dhananjay Baijal for R-1  
 Mr. Amit Kapur,  
 Ms. Poonam Verma and  
 Mr. Gaurav Dudeja for Adani

**Appeal No. 125 of 2014 &  
 I.A. No. 211 of 2014**

Energy Watchdog ... Appellant(s)  
*Versus*  
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) :  
 Counsel for the Respondent(s) : Mr. Nikhil Nayyar  
 Mr. Dhananjay Baijal for R-1

Mr. Amit Kapur,  
Ms. Poonam Verma and  
Mr. Gaurav Dudeja for Adani

Mr. Malav Deliwala and  
Mr. Jatin J. for APL

**Appeal No. 44 of 2014 &  
I.A. No. 65 of 2014**

Dakshin Haryana Bijli Vitran Ltd. & Ors. ... Appellant(s)  
*Versus*

GMR Kamalanga Energy Ltd. & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. G. Umapathy and  
Ms. R. Mekhala

Counsel for the Respondent(s) : Mr. Amit Kapur and  
Mr. Vishrov Mukherjee for R-1

Mr. Rajiv Bhardwaj and  
Mr. Ravi Kishore for R-3

Mr. K.S. Dhingra for R-5

**Appeal No. 74 of 2014 &  
I.A. No. 143 of 2014**

Gridco Ltd. ... Appellant(s)  
*Versus*

GMR Kamalanga Energy Ltd. & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Raj Kumar Mehta  
Mr. Abhishek Upadhyay  
Ms. Himanshu Andley

Counsel for the Respondent(s) : Mr. Amit Kapur and  
Mr. Vishrov Mukherjee for R-1

Mr. K.S. Dhingra for R-6

**APPEAL NO. 218 OF 2014 &  
IA NO. 337 OF 2014**

**Prayas Energy Group** .....Appellant(s)

**Versus**

**Maharashtra Electricity Regulatory Commission & Ors.** .....Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
Mr. Anand K. Ganesan  
Ms. Ranjitha Ramachandran

Mr. Shubham Arya  
 Mr. Kumar Mihir  
 Mr. Avinesh Menon  
 Ms. Poorva Saigal  
 Ms. Ishan Mukherjee

Counsel for the Respondent(s) : Mr. Kiran Gandhi and  
 Ms. Ramni Taneja for R.3

Mr. Amit Kapur,  
 Ms. Poonam Verma and  
 Mr. Gaurav Dudeja for Adani

**APPEAL NO. 166 OF 2014 &  
 IA NO. 275 OF 2014**

**Maharashtra State Electricity Distribution Co. Ltd.** .....Appellant(s)  
**Versus**  
**Adani Power Maharashtra Ltd. & Ors.** .....Respondent(s)

Counsel for the Appellant(s) : Mr. Kiran Gandhi and  
 Ms. Ramni Taneja

Counsel for the Respondent(s) : Mr. Amit Kapur,  
 Ms. Poonam Verma and  
 Mr. Gaurav Dudeja for Adani

Mr. Malav Deliwala and  
 Mr. Jatin J. for APL

**APPEAL NO. 296 OF 2013**

**Prayas Energy Group** .....Appellant(s)  
**Versus**  
**Maharashtra Electricity Regulatory Commission & Ors.** .....Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
 Mr. Anand K. Ganesan  
 Ms. Ranjitha Ramachandran  
 Mr. Shubham Arya  
 Mr. Kumar Mihir  
 Mr. Avinesh Menon  
 Ms. Poorva Saigal  
 Ms. Ishan Mukherjee

Counsel for the Respondent(s) : Mr. Kiran Gandhi and  
 Ms. Ramni Taneja

Mr. Amit Kapur,  
 Ms. Poonam Verma and  
 Mr. Gaurav Dudeja for Adani



Mr.Malav Deliwala and  
Mr. Jatin J. for APL

**APPEAL NO. 78 OF 2015**

**Adani Power Rajasthan Ltd. ....Appellant(s)**  
**Versus**  
**Rajasthan Electricity Regulatory Commission & Ors. ....Respondent(s)**

Counsel for the Appellant(s) : Mr. Amit Kapur,  
Ms. Poonam Verma,  
Mr. Gaurav Dudeja and  
Mr. Malav Deliwala (Rep.)

Counsel for the Respondent(s) : Mr. Raj Kumar Mehta,  
Mr. Abhishek Upadhyay and  
Ms. Himanshi Andley for R-1  
  
Mr. Sanjay Jain, ASG  
MR. Nitish Gupta

**APPEAL NO. 42 of 2015 &  
IA NOS. 44, 306, 307 of 2015**

**M/s. Jaipur Vidyut Vitran Nigam Ltd. & Ors. ....Appellant(s)**  
**Versus**  
**Adani Power Rajasthan Ltd. & Ors. ....Respondent(s)**

Counsel for the Appellant(s) : Mr. Sanjay Jain, ASG  
MR. Nitish Gupta

Counsel for the Respondent(s) : Mr. Raj Kumar Mehta,  
Mr. Abhishek Upadhyay and  
Ms. Himanshi Andley for RERC

Mr. Amit Kapur,  
Ms. Poonam Verma and  
Mr. Gaurav Dudeja for Adani

Mr.Malav Deliwala and for APL

**IA NO. 443 OF 2014 IN DFR NO. 2635 OF 2014 &  
IA NO. 470 OF 2014**

**Adani Power Maharashtra Ltd. ....Appellant(s)**  
**Versus**  
**Maharashtra Electricity Regulatory Commission & Anr. ....Respondent(s)**

Counsel for the Appellant(s) : Mr. Amit Kapur,

Ms. Poonam Verma and  
Mr. Gaurav Dudeja  
Mr. Jatin J.

Counsel for the Respondent(s) : Mr. Kiran Gandhi and  
Ms. Ramni Taneja

### **ORDER**

Mr. M.G. Ramachandran, learned counsel makes a statement that he wants discharge in Appeal Nos. 97 of 2014; 151 of 2013; 98 of 2014 and 100 of 2013 because the appellants in these matters have engaged some other counsel.

Mr. Apoorva Karol, learned counsel for the appellants in the above matters states that the appellants need time because the counsel who is engaged by the appellants in these matters needs some more time. He seeks one week's time.

We must express our unhappiness about this prayer for adjournment. If the appellants wanted to change their counsel they should have done so well in advance. Way back on 12.10.2015 we fixed these matters for hearing on 01.12.2015. Accordingly, they are listed today. It was necessary for the appellants to engage new counsel in the meantime. This has caused great inconvenience to the Bench. We would not like to adjourn the matters inasmuch as other counsel in the companion matters are present in the Court and also because we have adjourned all other matters so that we could proceed with this Full Bench.

We are informed that in Appeal Nos. 97 of 2014; 151 of 2013; 98 of 2014 and 100 of 2013 Order dated 21.02.2014 passed by the Central Electricity Regulatory Commission is challenged. The same order is under challenge in Appeal Nos. 133 of 2014; 139 of 2014 and 134 of 2014. Mr. M.G. Ramachandran, learned counsel is appearing in Appeal Nos. 133 of 2014 and 134 of 2014 and he is present. In the circumstances, we request Mr. M.G. Ramachandran, learned counsel to proceed with Appeal Nos. 133 & 134 of 2014. Thereafter, we will proceed with Appeal No. 139 of 2014.

From 07.12.2015 Appeals Nos. 97 of 2014; 151 of 2013; 98 of 2014 and 100 of 2013 can be heard as these appeals are adjourned at the request of Mr. Apoorva Karol for one week. On Mr. Apoorva Karol filing Vakalatnama in Appeal Nos. 97 of 2014; 151 of 2013; 98 of 2014 and 100 of 2013, Mr. M.G. Ramachandran shall stand discharged from appearing in the said appeals.

List these matters for further hearing on **02.12.2015.**

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

**(T. Munikrishnaiah)**  
**Technical Member**

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

ts/mk