

**COURT-II**  
**Before the Appellate Tribunal for Electricity**  
**(Appellate Jurisdiction)**

**Appeal No. 288 of 2015 & IA No. 469 of 2015**

**Dated:** **4<sup>th</sup> February, 2016**

**Present:** **Hon'ble Mr. Justice Surendra Kumar, Judicial Member**  
**Hon'ble Mr. T. Munikrishnaiah, Technical Member**

**In the matter of:-**

**Pragati Power Corporation Ltd. .... Appellant(s)**  
**Versus**  
**Delhi Electricity Regulatory Commission & Ors. .... Respondent(s)**

Counsel for the Appellant(s) : Ms. Swapna Seshadri

Counsel for the Respondent(s) : Mr. Amit Kapur, Mr. Vishal Anand,  
Mr. Rahul Kinra, Adv and  
Mr. Anurag Bansal (Rep.)  
for BRPL, TPDDL & BYPL

Mr. Dhananjay Baijal  
Mr. Nikhil Nayyar for R-1, DERC

**ORDER**

IA No. 69 of 2016 in Appeal No. 288 of 2015 seeking vacation of ad-interim ex-parte order, dated 15.12.2015, passed by this Appellate Tribunal in IA No. 469 of 2015 has been filed by the Appellant, a generating company. We, by our afore-stated ad-interim order, dated 15.12.2015, stayed the operation of the impugned order, subject to the condition that the Appellant shall deposit Rs. 30 crores within a month from that date.

The main grievance of the Applicant in the IA No. 69 of 2016 is that the said amount of Rs. 30 crores has not been deposited by the Appellant, as directed by this Appellate Tribunal but that amount is being adjusted.

Registry is directed to issue notice on this IA being IA No. 69 of 2016 to the Respondents directing them to file their respective reply in the matter within a week after serving copy on the other side. Rejoinder, if any, be filed within a week thereafter.

Post this IA, being IA No. 69 of 2016 in Appeal No. 288 of 2015, for hearing and disposal on **18<sup>th</sup> February, 2016.**

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

**( Justice Surendra Kumar )**  
**Judicial Member**