

**COURT-II**

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Appeal Nos. 29 of 2015, 47 of 2014 and 48 of 2014**

**Dated: 15<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:-**

**Appeal No. 29 of 2015**

**NTPC Ltd. ... Appellant(s)  
Versus  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)**

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

Counsel for the Respondent(s) : -

**Appeal No. 47 of 2014**

**NTPC Ltd. ... Appellant(s)  
Versus  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)**

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

Counsel for the Respondent(s) : Mr. K. S. Dhingra for R.1

**Appeal No. 48 of 2014**

**NTPC Ltd. ... Appellant(s)  
Versus  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)**

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

Counsel for the Respondent(s) : Mr. K. S. Dhingra for R.1

## **ORDER**

### **Appeal No. 29 of 2015**

In Appeal No. 29 of 2015, we have heard Mr. M.G.Ramachandran, learned counsel for the appellant. Mr. Ramachandran in his fairness had clearly submitted that initially in the appeal there were seven issues which were mentioned in his written submissions dated 11.02.2016. The first four issues have been decided by this Appellate Tribunal, vide judgment dated 12.05.2015, against the appellant, NTPC. Issue No. 5 & 6 have been allowed by the Central Commission vide Review Order dated 18.03.2015 in Review Petition No. 3 of 2015. The only issue present before us is issue No. 7, relating to computational error in the calculation of pro-rated additional capital expenditure for the work of ash handling system and implementation of RGNO. Mr. Ramachandran has completed his arguments, drawing our attention to our judgment dated 12.05.2015. Thus, the arguments of the appellant in this appeal are concluded.

We direct the Central Commission, by sending a copy of the Written Submission of Mr. M. G. Ramachandran, learned counsel for the appellant dated 15.02.2016, to state clearly the stand of the Central Commission. Today none had appeared on behalf of the Central Commission in this appeal. Central Commission should respond to the said query within a week from today positively.

Post this appeal for arguments of the respondents' side as well as for rejoinder submissions on **24<sup>th</sup> February, 2016**.

Since the issues are different between ***Appeal No. 29 of 2015 and 47 of 2014 & 48 of 2014, we are today de-tagging them.***

### **Appeal No. 47 of 2014**

Mr. M.G. Ramachandran has been heard on issue Nos. 4 & 5, relating to disallowance, in respect of Supply and Erection of Weigh bridge and Cable

Drag Chain System and for replacement of Finned Economizer 'J' bends and procurement of Electric Hoist. He has concluded his arguments on these two issues. Regarding issue Nos. 1, 2 & 3, he submits that these issues have already been covered by our earlier judgment dated 11.02.2016. The arguments of the appellant in this appeal are concluded.

Post this appeal for arguments by respondents' side on **01<sup>st</sup> March, 2016.**

**Appeal No. 48 of 2014**

*This appeal is being **de-tagged** from other appeals* and is being fixed for arguments by the parties on **10<sup>th</sup> March, 2016.**

Mr. K.S. Dhingra, learned counsel for the Central Commission is allowed to file written submissions, under copy to the other side.

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

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

sh/kt