

COURT - I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**EXECUTION PETITION NO. 1 OF 2017 IN
APPEAL NO. 228 OF 2012**

Dated: 09th February, 2017

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

In the matter of :

M/s SNJ Sugars & Products Ltd. ...Appellant(s)

Vs.

Transmission Corporation of Andhra Pradesh Ltd. & Ors. ...Respondent(s)

Counsel for the Appellant(s) : Mr. Raju Ramchandaran, Sr. Adv.
Mr. Sasidaran
Mrs. V. S. Lakshmi
Mr. A. V. Balan
Ms. Mythili Vijay Kumar Thallam

Counsel for the Respondent(s) : Mr. Rakesh K Sharma for R.1 to 3

ORDER

In this application, the following prayers are made:

"a. Direct Respondent No.1 to pay the petitioner a total sum of Rs.21,79,37,386/- together with interest at 10% per annum till the date of realisation in terms of the Final Judgment and Order dated 04.02.2013 passed by this Hon'ble Tribunal in Appeal No. 228 of 2012 and the costs of taking out this execution.

b. In default to pay the amount referred in prayers (a), attach and sell the Head Office building of the Transmission Corporation of Andhra Pradesh Limited situated at Vidyut Soudha, Khairatabad, Hyderabad, Andhra Pradesh – 500082 and the Head Office building of Andhra Pradesh Southern Power Distribution Company having D.No. 19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati – 517503, Chittoor

District, Andhra Pradesh and sale proceeds may be awarded to the petitioner to the extent mentioned in prayer (a) and

c. Pass any further order this Hon'ble court may deem fit and proper under the facts and circumstances of the case."

We have heard learned counsel for the parties. Learned counsel for the petitioner submitted that aggrieved by the Judgment in Appeal No. 228 of 2012 dated 04.02.2013, APTRANSCO/Respondents had filed an appeal in the Supreme Court, which was dismissed by the Supreme Court on 12.07.2016. Counsel further submitted that APTRANSCO/Respondents had filed a review petition being R.P. No. 3235 of 2016 in the Supreme Court and the same was also dismissed on 04.10.2016. It is submitted that despite dismissal of the review petition by the Supreme Court, the APTRANSCO/Respondents are not executing the Judgment of this Tribunal in Appeal No. 228 of 2012, dated 04.02.2013. Hence, the present application is filed for execution of the Judgment in Appeal No. 228 of 2012 dated 04.02.2013.

Mr. Rakesh K. Sharma, learned counsel for Respondent Nos.1 to 3 seeks two weeks time to obtain instructions. We are inclined to give him two weeks time. But in the meantime, we direct APTRANSCO/Respondents to pay an amount of Rs.7.88 Crores to the appellant within two weeks from today.

List the matter for further appropriate orders on **21.03.2017**.

(I. J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson