

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 : 11th January, 2016

**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. Brijender Chahar, Sr. Adv.
Mr. Shashi Bhushan
Mr. Apoorva Karol
Mr. Vaibhav Tyagi
Mr. Vikrant Saini

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

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

Mr. Anand K. Ganesan for PSPCL

**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. Brijender Chahar, Sr. Adv.
Mr. Shashi Bhushan
Mr. Apoorva Karol
Mr. Vaibhav Tyagi
Mr. Vikrant Saini

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

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

Mr. Anand K. Ganesan for PSPCL

**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. Brijender Chahar, Sr. Adv.
Mr. Shashi Bhushan
Mr. Apoorva Karol
Mr. Vikrant Saini
Mr. Vaibhav Tyagi

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

Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja
Mr. Akshat Jain a/w
Mr. Malav Deliwala (Rep.) for Adani

**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. Brijender Chahar, Sr. Adv.
Mr. Shashi Bhushan
Mr. Apoorva Karol
Mr. Vaibhav Tyagi
Mr. Vikrant Saini

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

Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja
Mr. Akshat Jain a/w
Mr. Malav Deliwala (Rep.) for Adani

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
Mr. Soyaib Qurishi

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

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

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
Mr. Ishaan Mukherjee a/w
Ms. Ashwani Chitnis (Rep.)

Counsel for the Respondent(s) : Mr. C.S. Vaidyanathan, Sr. Adv.

Mr. Amit Kapur
 Mr. Apoorva Misra
 Mr. Abhishek Munot &
 Mr. Kunal Kaul for CGPL

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
 Ms. Pooja Nuwal

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

**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
 Ms. Ranjitha Ramachandran
 Ms. Anushree Bardhan
 Mr. Shubham Arya
 Mr. Kumar Mihir
 Mr. Avinesh Menon
 Ms. Poorva Saigal

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

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

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
 Mr. N. Sai Vinod for R-1

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

**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. Varun Aggarwal

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

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

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
 Ms. Anushree Bardhan
 Mr. Shubham Arya
 Ms. Poorva Saigal

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

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

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

Mr. Parinay D. Shah and

Mr. Saransh Shaw for R-11

Mr. Rahul Dhawan
Mr. Shailabh Tiwari for R.12 & 13

Mr. Anand K. Ganesan
Mr. Ishaan Mukherjee for PSPCL

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
Ms. Anushree Bardhan
Mr. Shubham Arya
Ms. Poorva Saigal

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

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

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

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

Mr. Rahul Dhawan
Mr. Shailabh Tiwari for R.9 & 10

Mr. Anand K. Ganesan
Mr. Ishaan Mukherjee for PSPCL

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
Ms. Pooja Nuwal

Counsel for the Respondent(s) : Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja
Mr. Akshat Jain a/w
Mr. Malav Deliwala (Rep.) for Adani

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
 Ms. Ranjitha Ramachandran
 Ms. Anushree Bardhan
 Mr. Shubham Arya
 Mr. Kumar Mihir
 Mr. Avinesh Menon
 Ms. Poorva Saigal
 Mr. Ishaan Mukherjee

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

 Mr. Amit Kapur
 Ms. Poonam Verma
 Mr. Gaurav Dudeja
 Mr. Akshat Jain a/w
 Mr. Malav Deliwala (Rep.) 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
 Mr. N. Sai Vinod for R-1

Mr. Amit Kapur
 Ms. Poonam Verma
 Mr. Gaurav Dudeja
 Mr. Akshat Jain a/w
 Mr. Malav Deliwala (Rep.) for Adani
 Mr. Buddy A. Ranganadhan

**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
Ms. R. Mekhala

Counsel for the Respondent(s) : Mr. Amit Kapur
Mr. Vishrov Mukherjee
Mr. Rohit Venkat 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. Himanshi Andley

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

Mr. K.S. Dhingra for R-6

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

Prayas Energy GroupAppellant(s)

Versus

Maharashtra Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Ranjitha Ramachandran
Ms. Anushree Bardhan
Mr. Shubham Arya
Mr. Kumar Mihir
Mr. Avinesh Menon
Ms. Poorva Saigal

Counsel for the Respondent(s) : Mr. Kiran Gandhi
Ms. Ramni Taneja
Mr. Udit Gupta for MSEDCL

Mr. Amit Kapur
Ms. Poonam Verma

Mr. Gaurav Dudeja
Mr. Akshat Jain for Adani

Mr. Buddy A. Ranganadhan for R.1

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
Ms. Ramni Taneja
Mr. Udit Gupta

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

Mr. Malav Deliwala (Rep.)

Mr. Buddy A. Ranganadhan
Mr. Raghu Vamsy

APPEAL NO. 296 OF 2013

Prayas Energy GroupAppellant(s)
Versus
Maharashtra Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Ranjitha Ramachandran
Ms. Anushree Bardhan
Mr. Shubham Arya
Mr. Kumar Mihir
Mr. Avinesh Menon
Ms. Poorva Saigal

Counsel for the Respondent(s) : Mr. Kiran Gandhi
Ms. Ramni Taneja
Mr. Udit Gupta for MSEDCL

Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja
Mr. Akshat Jain for Adani

Mr. Buddy A. Ranganadhan
Mr. Raghu Vamsy for R.1

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
 Mr. Gaurav Dudeja
 Mr. Akshat Jain 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
 Mr. Soyaib Qurishi for R.2 to 4

**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
 Mr. Soyaib Qurishi

Counsel for the Respondent(s) : Mr. Raj Kumar Mehta,
 Mr. Abhishek Upadhyay and
 Ms. Himanshi Andley for R.2

Mr. Amit Kapur
 Ms. Poonam Verma
 Mr. Gaurav Dudeja
 Mr. Akshat Jain for Adani

Mr. Malav Deliwala (Rep.) for Adani

**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

Mr. Gaurav Dudeja, Mr. Akshat Jain
Mr. Malav Deliwala (Rep.)

Counsel for the Respondent(s) : Mr. Kiran Gandhi
Ms. Ramni Taneja
Mr. Udit Gupta for MSEDCL

Mr. Buddy A. Ranganadhan
Mr. Raghu Vamsy for R.1

ORDER

We have heard learned counsel for all the parties.

Judgment is Reserved. Comprehensive written submissions be filed by learned counsel for the parties on or before 22.01.2016 after serving copy on the other side.

(I.J. Kapoor)
Technical Member

(T. Munikrishnaiah)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/kt