

**COURT-I****IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)****Appeal No.335 of 2016 &  
IA Nos. 714 & 715 of 2016****Dated: 09<sup>th</sup> January, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. I.J. Kapoor, Technical Member****In the matter of :****JSW Energy Ltd.****...Appellant(s)****Vs.****Karnataka Electricity Regulatory Commission & Ors.****...Respondent(s)**

Counsel for the Appellant(s) : Mr. Arun Verma, Sr. Adv.  
Mr. Aman Anand  
Mr. Manpreet Lamba

Counsel for the Respondent(s) : Mr. Abhishek Bharti for  
Mr. Balaji Srinivasan for R.2, 5 & 6

**ORDER****Appeal No.335 of 2016**

All the Respondents have been served and affidavit of service is filed. Mr. Abhishek Bharati appears for Respondent Nos. 2 & 5. Though served, other Respondents are not represented.

Since the companion appeal being Appeal No. 276 of 2016 has been admitted, we admit this appeal. Issue notice. Mr. Abhishek Bharati takes notice on behalf of Respondent Nos. 2 & 5. Notice be issued to the other Respondents returnable on 24.01.2017. Dasti, in addition, is permitted.

**I.A. No. 714 of 2016**

(Appl. for stay)

All the Respondents have been served and affidavit of service is filed. Mr. Abhishek Bharati appears for Respondent Nos. 2 & 5. Though served, other Respondents are not represented.

It is pointed out by learned counsel for the Appellant that while issuing notice on Appeal No. 276 of 2016 on 10.11.2016, this court has stayed the impugned order. The relevant portion of the said order reads as under:

***“We are informed by Mr. M.G. Ramachandran, learned counsel appearing for the Appellant that the State Commission vide its Order, dated 07.10.2016, has stayed the impugned order in Review Petition being R.P. No. 8 of 2016 filed by Hare Krishna Metalics Private Limited. Learned counsel states that in view of this development recovery ordered by the State Commission be stayed.*”**

***Having perused the order dated 07.10.2016 passed by the State Commission in R.P. No. 8 of 2016, without expressing any opinion on the merits of the case and without prejudice to the rights and contentions of the respondents, we stay the impugned order till 24.11.2016.”***

In view of the above, without expressing any opinion on the merits of the case and without prejudice to the rights and contentions of the Respondents, we stay the impugned order until further orders.

List the matter on **24.01.2017**. Tag to Appeal No. 276 of 2016.

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

ts/sh

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