

COURT-I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

**APPEAL NO. 180 OF 2016 &
IA NOS. 392 & 393 OF 2016**

Dated: 12th July, 2016

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

In the matter of:-

Torrent Power Ltd **Appellant(s)**
Versus
Gujarat Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant(s) : Mr. Ramji Srinivasan, Sr. Adv.
Ms. Deepa Chawan
Mr. H.S. Jaggi
Mr. Vivek Paul

Counsel for the Respondent(s) : Mr. Sanjay Sen, Sr. Adv.
Mr. Buddy A. Ranganadhan
Mr. Hemant Singh
Mr. S.R. Pandey (Rep.) for R.1

Mr. M.G. Ramachandran
Ms. Ranjitha Ramachandran

ORDER

Issue notice on the appeal as well as on the I.A. No. 392 of 2016 (Appl. for stay). Mr. Hemant Singh takes notice on behalf of Respondent No.1 and Ms. Ranjitha Ramachandran takes notice on behalf of Government of Gujarat and they seek three weeks time to file reply. Notice be issued to the other Respondents returnable on 29.08.2016. Dasti in addition is permitted.

Mr. Ramji Srinivasan, learned senior counsel for the appellant has pressed the stay application. Since we propose to fix the matter for final hearing, we are not considering the prayer for stay, at this stage. However, the respondents shall not claim any special equity because the prayer for stay has not been considered by this Tribunal today. The direction passed by us today will abide by the final Judgment, which would be passed in this appeal.

Mr. Sanjay Sen, learned senior counsel appearing for the State Commission is present today and he has taken note of the fact that this Tribunal is seized of the matter. We are informed that an officer of the State Commission is also present in the court. Therefore, the fact that we are seized of this matter will be communicated to the State Commission. Needless to say that the appellant is at liberty to approach this Tribunal if required.

List the matter for final hearing on **29.08.2016**. In the meantime, learned counsel for the respondents may file reply on or before 03.08.2016 after serving copy on the other side. Thereafter, learned counsel for the appellant may file rejoinder on or before 19.08.2016 after serving copy on the other side.

I.A. No. 393 of 2016
(Appl. for exemption from filing
certified copy of the impugned order)

We have heard learned counsel for the parties.

Application is allowed.

(I.J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson