

:2:

It is the case of the Appellant that through E-mail, dated 18.07.2016, which was received by him at 3.38 pm on the same day i.e., 18.07.2016, the Appellant came to know that the Respondent has ordered cancellation of its authorization and encashment of Performance Bank Guarantee furnished by the Appellant to the Respondent. Therefore, this matter is urgently listed before us at the request of the Appellant. The Respondent is not here today.

Mr. Atul Y. Chitale, learned senior counsel appearing for the Appellant, *inter alia*, submitted that the Respondent has ignored Regulation 16 of Petroleum and Natural Gas Regulatory Board (Authorizing Entities to lay, build, operate or expand city or local Natural Gas Distribution Networks) Regulations, 2008, and ordered encashment of Performance of Bank Guarantee without following the procedure stipulated therein.

In the circumstances, issue notice to the respondent returnable on 20.07.2016. Dasti, in addition, is permitted.

Contd...P/3

:3:

We direct the office to list this matter on **20.07.2016 at 10.30 am.** Without expressing any opinion on the merits of the case and without prejudice to the contentions of the Respondent, we direct the respondent not to encash the Bank Guarantee till tomorrow i.e., 20.07.2016. We also direct the Appellant to serve a copy of this order along with the appeal paper book on the respondent today itself.

(B.N. Talukdar)
Technical Member (P&NG)

(Justice Ranjana P. Desai)
Chairperson

ts/kt