

COURT - I

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

**APPEAL NO. 62 OF 2017 &
IA NO. 725 OF 2016**

Dated: 02nd March, 2017

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

In the matter of :

M/s Shree Renuka Sugars Ltd. ...Appellant(s)

Vs.

Karnataka Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant(s) : Mr. Shubhranshu Padhi
Mr. Kush Chaturvedi

Counsel for the Respondent(s) : -

ORDER

Since the companion appeal being Appeal No. 276 of 2016, where the same order is challenged, has been admitted on 24.11.2016, we admit this appeal. Issue notice to the Respondents on the appeal as well as on the I.A No. 725 of 2016 (Application for stay) returnable on 10.04.2017. Dasti, in addition, is permitted.

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 Metallics 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 till 10.04.2017.

List the matter on **10.04.2017**. In the meantime, learned counsel for the Respondents may file reply on or before 24.03.2017 after serving copy on the other side. Thereafter, rejoinder may be filed on or before 07.04.2017 after serving copy on the other side.

(I. J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson