

## COURT-I

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

#### IA NO. 925 OF 2019 IN APPEAL NO. 81 OF 2019

**Dated: 23<sup>rd</sup> May, 2019**

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson  
Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

**In the matter of:**

**Mahindra CIE Automotive Limited**

**....Appellant(s)**

**Versus**

**Maharashtra Electricity Regulatory Commission & Ors.**

**....Respondent(s)**

Counsel for the Appellant (s) : Mr. Basava Prabhu Patil, Sr. Adv.  
Mr. Geet Ahuja  
Mr. Deepanshu Arora

Counsel for the Respondent (s) : Mr. Ashish Singh  
Mr. Anup Jain  
Ms. S. Rama for R-2

Mr. Anand K. Ganesan  
Ms. Swapna Seshadri  
Mr. Utkarsh Singh for R-3

## ORDER

Heard learned senior counsel for the Appellant as well as learned counsel for the Respondents on preliminary submissions.

In terms of impugned Demand Notice, the amount payable by the Appellant towards 50% in terms of the Order dated 13.03.2019 comes to, according to the Appellant, Rs.7,89,45,113/-. According to the Appellant, in terms of refund direction order dated 23.10.2018 by the Respondent Commission/MERC in Petition No. 71 of 2018, comes to Rs.6,70,00,729/-. The difference seems to be Rs.1,19,44,384/- subject to verification by the Respondent No.2.

The Appellant seeks permission to furnish bank guarantee for deposit of 50% in terms of the Order dated 13.03.2019. We are not expressing any opinion on the same at this stage. However, we direct the Appellant to pay Rs.1,19,44,384/- to the Respondent No.2/MSEDCL by Monday i.e. on or before 27.05.2019 and make further submissions before this Court on 30.05.2019. Meanwhile, learned counsel for the Respondent No.2 shall take instructions and make his submissions in this matter.

Meanwhile, Respondent No.2 shall not take any coercive step in terms of Order dated 13.03.2019 of this Tribunal.

List this matter on **30.05.2019**.

**(Ravindra Kumar Verma)**  
**Technical Member**

vt/js

**(Justice Manjula Chellur)**  
**Chairperson**