

COURT-I

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

IA NO. 706 OF 2019

IN

DFR No. 1917 of 2019

Dated: 03rd May, 2019

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member**

In the matter of:

GVK Power (Goindwal Sahib) Ltd.

...Appellant(s)

Versus

Punjab State Electricity Regulatory Commission & Anr. ...Respondent(s)

Counsel for the Appellant(s) : Mr. Amit Kapur
Mr. Janmali Mankala
Mr. Veenet Kumar (Rep.)

Counsel for the Respondent(s) : Mr. Sakesh Kumar
Ms. Gitanjali N. Sharma for R-1

Mr. M.G. Ramachandran, Sr. Adv.
Mr. Anand K. Ganesan for R-2

ORDER

**IA NO. 706 OF 2019
*(Appl. for condonation of delay)***

For the reasons set out in the application, delay of 04 days in filing the appeal is condoned. Application is disposed of.

DFR No. 1917 of 2019

Heard learned counsel Mr. Amit Kapur, appearing for the Appellant and learned counsel, Mr. Sakesh Kumar, appearing for Respondent No.1 and learned senior counsel, Mr. M.G. Ramachandran for Respondent No.2/PSPCL.

The last paragraph of the impugned order at Page No.105 suggests reconciliation between the parties in the following terms:-

“It is true that GVK’s billing has not been entirely correct. PSPCL has also been arbitrarily in its deductions/payments. Had PSPCL and GVK undertaken a reconciliation earlier, some of these issues would have been sorted out. A full reconciliation of accounts based on this order needs to be conducted. If after reconciliation, it transpires that PSPCL has to make some payment in a bill in pursuance of this Order, then PSPCL will pay interest on that amount, and return the rebate (if taken) with interest thereon also”.

Subsequent to this, three letters seems to have been addressed to Appellant by Respondent No.2 asking for reconciliation. Learned counsel for both the parties submitted that in the next week, their respective parties sit and reconcile the past bill (disputed) so that the issue of controversy is sorted out.

Meanwhile, we make it clear that past dues of Rs. 46 crores subject-matter of Appeal No.286 of 2018 shall not be deducted from the current monthly bills. It is also made clear that after submitting final amount of the past dues, from that amount, due amount of Rs.46 crores could be deducted by way of adjustment or account in.

List the matter on **20.05.2019.**

(S.D. Dubey)
Technical Member

Pr/pk

(Justice Manjula Chellur)
Chairperson