

COURT-I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 97 of 2014, Appeal No. 151 of 2013, Appeal No. 98 of 2014, Appeal No. 100 of 2013, Appeal No. 91 of 2014, Appeal No. 100 of 2014, Appeal No. 115 of 2014, Appeal No. 133 of 2014, Appeal No. 124 of 2014 Appeal No. 139 of 2014, Appeal No. 99 of 2014, Appeal No. 104 of 2014, Appeal No. 116 of 2014 Appeal No. 134 of 2014, Appeal No. 125 of 2014, Appeal No. 44 of 2014, Appeal No. 74 of 2014, APPEAL NO. 218 OF 2014 & IA NO. 337 OF 2014, APPEAL NO. 166 OF 2014 & IA NO. 275 OF 2014, APPEAL NO. 296 OF 2013, APPEAL NO. 78 OF 2015, APPEAL NO. 42 of 2015 & IA Nos. 44, 306, 307 of 2015 and IA NO. 443 OF 2014 IN DFR NO. 2635 OF 2014

Dated : 18th November, 2015

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. T. Munikrishnaiah, Technical Member
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of:-

Appeal No. 97 of 2014

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr. ... Appellant(s)
Versus

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

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Amit Kapur,
Mr. Abhishek Munot &
Mr. Kunal Kaul for R-2

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

**Appeal No. 151 of 2013 &
I.A. No. 220 of 2013**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr. ... Appellant(s)
Versus

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

Counsel for the Appellant(s) : Mr. M.G. Ramachandran

Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Amit Kapur,
Mr. Abhishek Munot &
Mr. Kunal Kaul for R-2

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

**Appeal No. 98 of 2014 &
I.A. Nos. 343 & 402 of 2014**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr. ... Appellant(s)
Versus

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

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Amit Kapur
Ms. Poonam Verma,
Mr. Gaurav Dudeja for Adani

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

**Appeal No. 100 of 2013 &
I.A. No. 116 of 2013**

Uttar Haryana Bijli Vitran Nigam Ltd. & Anr.
(Jointly through Haryana Power Purchase Centre) ... Appellant(s)
Versus

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

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja for Adani

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

Appeal No. 91 of 2014

Ajmer Vidyut Vitran Nigam Ltd. & Ors. ... Appellant(s)
Versus
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Nitish Gupta

Counsel for the Respondent(s) : Mr. Amit Kapur,
 Mr. Abhishek Munot &
 Mr. Kunal Kaul for R-2

Mr. Dhananjay Baijal and
 Mr. Nikhil Nayyar for R-1

Appeal No. 100 of 2014

Punjab State Power Corporation Ltd. ... Appellant(s)
Versus
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Anand K. Ganesan
 Ms. Swapna Seshadri

Counsel for the Respondent(s) : Mr. Amit Kapur,
 Mr. Abhishek Munot &
 Mr. Kunal Kaul for R-2

Appeal Nos. 115 of 2014

Gujarat Urja Vikas Nigam Ltd. ... Appellant(s)
Versus
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Nitish Gupta

Counsel for the Respondent(s) : Mr. Amit Kapur,
 Mr. Abhishek Munot &
 Mr. Kunal Kaul for R-2

**Appeal No. 133 of 2014 &
 I.A. No. 234 of 2014**

Prayas Energy Group ... Appellant(s)
Versus
 Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Kumar Mihir

Counsel for the Respondent(s) : Mr. Amit Kapur,
Mr. Abhishek Munot &
Mr. Kunal Kaul for R-2

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

Appeal No. 124 of 2014

Energy Watchdog ... Appellant(s)
Versus
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran
Mr. Anil Kumar

Counsel for the Respondent(s) : Mr. Amit Kapur,
Mr. Abhishek Munot &
Mr. Kunal Kaul for R-2

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

Appeal No. 139 of 2014

Maharashtra State Electricity Distribution Co. Ltd. ... Appellant(s)
Versus
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Nitish Gupta

Counsel for the Respondent(s) : Mr. Amit Kapur,
Mr. Abhishek Munot &
Mr. Kunal Kaul for R-2

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Appeal No. 99 of 2014

Haryana Power Purchase Center ... Appellant(s)
Versus
Central Electricity Regulatory Commission & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Saurabh Mishra for R-1

Appeal No. 104 of 2014

Ajmer Vidyut Vitran Nigam Ltd. & Ors. ... Appellant(s)

Versus

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

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Anushree Bardhan
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Saurabh Mishra for R-1

Appeal No. 116 of 2014

Gujarat Urja Vikas Nigam Ltd. ... Appellant(s)

Versus

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

Counsel for the Appellant(s) : Mr. Nitish Gupta

Counsel for the Respondent(s) : Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja for Adani

Appeal No. 134 of 2014

Prayas Energy Group ... Appellant(s)

Versus

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

Counsel for the Appellant(s) : Mr. Kumar Mihir
Mr. Anand K. Ganesan

Counsel for the Respondent(s) : Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja for Adani

Mr. Dhananjay Bajjal and
Mr. Nikhil Nayyar for R-1

**Appeal No. 125 of 2014 &
I.A. No. 211 of 2014**

Energy Watchdog ... Appellant(s)

Versus

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

Counsel for the Appellant(s) : Mr. Anil Kumar

Counsel for the Respondent(s) : Mr. Buddy A. Rangnadhan
Mr. Amit Kapur
Ms. Poonam Verma
Mr. Gaurav Dudeja

Mr. Dhananjay Baijal and
Mr. Nikhil Nayyar for R-1

**Appeal No. 44 of 2014 &
I.A. No. 65 of 2014**

Dakshin Haryana Bijli Vitran Ltd. & Ors. ... Appellant(s)

Versus

GMR Kamalanga Energy Ltd. & Ors. ... Respondent(s)

Counsel for the Appellant(s) : None

Counsel for the Respondent(s) : Mr. K.S. Dhingra for R-5

Mr. Amit Kapur
Mr. Rohit Ventak V. for GMR

**Appeal No. 74 of 2014 &
I.A. No. 143 of 2014**

Gridco Ltd. ... Appellant(s)

Versus

GMR Kamalanga Energy Ltd. & Ors. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
Ms. Himanshu Andley

Counsel for the Respondent(s) : Mr. K.S. Dhingra for R-6

Mr. Amit Kapur for GMR

APPEAL NO. 218 OF 2014 & IA NO. 337 OF 2014

Prayas Energy Group

.....Appellant(s)

Versus

Maharashtra Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran,
Ms. Rnjitha Ramachandran,
Ms. Anushree Bardhan

Counsel for the Respondent(s) : Mr. Amit Kapur, Ms. Poonam Verma &
Mr. Gaurav Dudeja for Adani

Ms. Ramni Taneja for R.3

APPEAL NO. 166 OF 2014 & IA NO. 275 OF 2014

Maharashtra State Electricity Distribution Co. Ltd.Appellant(s)

Versus

Adani Power Maharashtra Ltd. & Ors.Respondent(s)

Counsel for the Appellant(s) : Ms. Ramni Taneja

Counsel for the Respondent(s) : Mr. Amit Kapur, Ms. Poonam Verma &
Mr. Gaurav Dudeja
Mr. Malav Deliwala for Adani

APPEAL NO. 296 OF 2013

Prayas Energy GroupAppellant(s)

Versus

Maharashtra Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s) : -

Counsel for the Respondent(s) : Mr. Buddy A. Ranganadhan,
Mr.D.V.Raghu Vamsy for R.1

Mr. Amit Kapur, Ms. Poonam Verma &
Mr. Gaurav Dudeja
Mr. Malav Deliwala for Adani

Ms. Ramni Taneja for R.3

APPEAL NO. 78 OF 2015

Adani Power Rajasthan Ltd.Appellant(s)

Versus

Rajasthan Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s) : Mr. Amit Kapur,
Ms. Poonam Verma,

Mr. Gaurav Dudeja and
Mr. Malav Deliwala (Rep.)

Counsel for the Respondent(s) : Mr. Sanjay Jain, ASG
Mr. Nitish Gupta

Mr. Raj Kumar Mehta,
Mr. Abhishek Upadhyay and
Ms. Himanshi Andley for RERC

APPEAL NO. 42 of 2015 & IA NOs. 44, 306, 307 of 2015

M/s. Jaipur Vidyut Vitran Nigam Ltd. & Ors.Appellant(s)
Versus
Adani Power Rajasthan Ltd. & Ors.Respondent(s)

Counsel for the Appellant(s) : Mr. Sanjay Jain, ASG
Mr. Nitish Gupta

Counsel for the Respondent(s) : Mr. Amit Kapur, Ms. Poonam Verma
Mr. Gaurav Dudeja and
Mr. Malav Deliwala for R-1

Mr. Raj Kumar Mehta,
Mr. Abhishek Upadhyay and
Ms. Himanshi Andley for RERC

**IA NO. 443 OF 2014 IN DFR NO. 2635 OF 2014 &
IA NO. 470 OF 2014**

Adani Power Maharashtra Ltd.Appellant(s)
Versus
Maharashtra Electricity Regulatory Commission & Anr.Respondent(s)

Counsel for the Appellant(s) : Mr. Amit Kapur,
Ms. Poonam Verma and
Mr. Gaurav Dudeja
Mr. Malav Deliwala (Rep.)

Counsel for the Respondent(s) : Mr. Buddy A. Ranganadhan,
Mr. D.V.Raghu Vamsy for MERC

Ms. Ramni Taneja for R.2

ORDER

Learned counsel for the parties were informed that Mr. Mike Desai, son of the Chairperson Mrs. Justice Ranjana P. Desai, a practising advocate, was retained by M/s Adani Enterprises Limited for professional services for the Financial Year 2014-15. Learned counsel have stated that in spite of the aforesaid, they have no objection to this Bench hearing and deciding these matters.

Mr. T. Munikrishnaiah, Technical Member also pointed out that the management/owners of GMR Infrastructure Limited, who hail from Andhra Pradesh, are known to him. Learned counsel have stated that in spite of the aforesaid, they have no objection to this Bench hearing and deciding these matters.

Mr. I.J. Kapoor, Technical Member also pointed out that he had served NTPC for around 37 years and during this period, dealt with almost all the parties before us and that his children are working in different consulting companies and they might have been in contact with some of the parties before us. In spite of the aforesaid, the counsel have expressed complete faith in this Bench. They have stated that they have no objection to this Bench hearing and deciding these matters.

In view of the above, list these matters on the date already fixed for final hearing i.e. on December 1, 2015.

(I.J. Kapoor)
Technical Member

(T. Munikrishnaiah)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/mk