

**COURT-I**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(APPELLATE JURISDICTION)**

**IA NO. 610 OF 2016 IN APPEAL NO. 131 OF 2016 & IA NO. 292 OF 2016**  
**&**  
**IA NO. 611 OF 2016 IN APPEAL NO. 132 OF 2016 & IA NOS. 295,296 OF 2016**  
**&**  
**IA NO. 612 OF 2016 IN APPEAL NO. 133 OF 2016 & IA NOS. 298, 299 OF 2016**

**Dated: 18<sup>th</sup> November, 2016**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. B.N. Talukdar, Technical Member (P&NG)**

**IA NO. 610 OF 2016 IN APPEAL NO. 131 OF 2016 & IA NO. 292 OF 2016**

**In the matter of :**

**GAIL India Ltd. .... Appellant(s)  
Vs.  
Sravanthi Energy Pvt. Ltd. & Anr. .... Respondent(s)**

**IA NO. 611 OF 2016 IN APPEAL NO. 132 OF 2016 & IA NOS. 295,296 OF  
2016**

**GAIL India Ltd. .... Appellant(s)  
Vs.  
Gama Infraprop Pvt. Ltd. & Anr. .... Respondent(s)**

**IA NO. 612 OF 2016 IN APPEAL NO. 133 OF 2016 & IA NOS. 298, 299 OF  
2016**

**GAIL India Ltd. .... Appellant(s)  
Vs.  
Beta Infratech Pvt. Ltd. & Anr. .... Respondent(s)**

**Counsel for the Appellant(s) : Mr. Gourab Banerji, Sr. Adv.  
Mr. Sridharan Ramkumar  
Mr. Syed A. Habeeb  
Mr. Sahil Tagotra a/w  
Mr. Pankaj Bhagat  
Mr. Navjot Khurana (Reps.)**

Counsel for the Respondent(s) : Ms. Sumiti Yadava  
Ms. Preksha Dugar for R.1  
Ms. Aparna Vohra for R.2

## **ORDER**

### **IA NOs. 610, 611 & 612 OF 2016**

All these Applications relate, *inter alia*, to compliance of Order dated 17.08.2016 passed by this Tribunal. Since the prayer made in these applications is similar, they can be disposed of by a common order. For the sake of convenience, we may quote the prayer made in I.A. No. 610 of 2016, which reads as under:

***“(i) That this Hon’ble Tribunal kindly take on record such compliance by Respondent No.1 with the order dated 17<sup>th</sup> August 2016;***

***(ii) That the Hon’ble Tribunal kindly direct the Appellant to pay the amount of INR Two lac towards costs to Respondent No.1 and to produce proof of compliance with directions of this Hon’ble Tribunal vide order dated 17<sup>th</sup> August and/or;***

***(iii) Pass any such other relief as the Hon’ble Tribunal may deem fit;***

We are informed that Respondent No.1 has complied with the Order dated 17.08.2016. We have no reason to dispute this statement.

It appears that in the Order passed by us on 17.08.2016 we did not deal with the Board's direction to the Appellant to pay Rs. 2 lakhs as cost to Respondent No.1 in each of these appeals. Hence, prayer clause (ii) is made requesting this Tribunal to direct the Appellant to pay the said amount to Respondent No.1.

In the circumstances of the case, we are of the opinion that the Appellant should be directed to deposit Rs. 2 lakhs in each of these matters with the Board/Respondent No.2 within four weeks from today, with a direction to the Board to invest the said amount in a nationalised bank on usual terms. Needless to say that the said amount will abide by the final order that may be passed in these appeals. Order accordingly.

The Applications are disposed of.

List the main appeals on 06.01.2017. In the meantime, pleadings be completed.

**(B.N. Talukdar)**  
**Technical Member (P&NG)**  
Ts/vg

**(Justice Ranjana P. Desai)**  
**Chairperson**