

**COURT-I**

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

**IA NO. 1387 OF 2018 IN  
APPEAL NO. 278 OF 2018 &  
IA NOS. 1386, 1385 & 1388 OF 2018**

**Dated: 28<sup>th</sup> September, 2018**

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

**In the matter of:**

**M/s Rosa Power Supply Company Ltd. .... Appellant(s)  
Versus  
Uttar Pradesh Electricity Regulatory Commission & Anr. .... Respondent(s)**

Counsel for the Appellant(s) : Mr. Vikas Singh, Sr. Adv.  
Mr. Buddy A. Ranganadhan  
Mr. S. Venkatesh  
Mr. Varun Singh  
Ms. Nishta Kumar  
Mr. Sandeep Rajpurohit  
Mr. Somesh Srivastava  
Mr. Vikas Maini  
Mr. Kapish Seth  
Ms. Deepika  
Ms. Shristhi  
Mr. Samarth Kashyap

**ORDER**

**IA NO 1387 OF 2018  
*(Application for urgent listing)***

We have heard learned counsel for the applicant/appellant. For the reasons stated in the application, list the appeal on 8-10-2018. Application is disposed of.

**IA NO 1386 OF 2018**  
***(Application for stay)***

Heard learned senior counsel, Mr. Vikas Singh for the Appellant. Having regard to the Tariff Regulations 2009 and in the light of the terms and conditions of PPA, we are of the opinion that the impugned order dated 26-9-2018 should be stayed till the next date of hearing. Order accordingly. Further, there shall not be any recovery of income tax in terms of notice dated 9-4-2018 till the next date of hearing.

**APPEAL NO. 278 OF 2018**

Issue notice to the Respondents returnable on 8-10-2018. Dasti, in addition, is permitted.

List the matter on **8-10-2018**.

**(S.D. Dubey)**  
**Technical Member**

*tpd/kt*

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