

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 336 OF 2017 &
IA NO. 895 OF 2017 &
IA NOS. 551 & 435 OF 2018

Dated: 17th May, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of:

Uttar Pradesh Power Corporation Limited	...	Appellant(s)
Vs.		
Lanco Anpara Power Limited & Ors.	...	Respondent(s)

Counsel for the Appellant (s) : Mr. M.G. Ramachandran
Mr. Pulkit Agarwal
Ms. Poorva Saigal
Ms. Anushree Bardhan

Counsel for the Respondent(s) : Mr. S.B. Upadhyay, Sr. Adv.
Mr. Avijeet Lala
Ms. Shikha Pandey
Ms. Astha Sharma for R-1

Mr. C.K. Rai for R-2

Mr. Rajiv Srivastava for R-3 to R-6

ORDER

The learned senior counsel, Mr. S.B. Upadhyay, appearing for the first Respondent submitted that, the first Respondent herein may be permitted to submit his detailed representation to the appellant regarding financial difficulties faced by the first Respondent and requesting the Appellant to release some reasonable amount in favour of the first Respondent to enable them to run the project smoothly. Whatever amount released by the Appellant to the first Respondent will be subject to the outcome of the result of the instant Appeal.

Further, he submitted that, they will submit a detailed representation to the Appellant within two days from today. The Appellant may be directed to consider the representation sympathetically and dispose of the same immediately taking into consideration the financial hardship to be caused to the first Respondent due to the pendency of this Appeal before this Appellate Tribunal.

Submissions made by the learned senior counsel appearing for the first Respondent, as stated supra, are placed on record.

The first Respondent herein, is permitted to submit his detailed consolidated representation to the Appellant regarding the financial difficulties of the first Respondent within two days from today.

The Appellant herein is directed to consider the representation to be filed by first Respondent sympathetically and pass an appropriate order immediately.

Any amount released in favour of the first Respondent will be subject to the outcome of the result of the instant Appeal.

List this matter for further hearing on 24.07.2018, as agreed by the learned counsel appearing for the Appellant and the Respondents.

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

js/vt