

COURT-I

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

**APPEAL NO. 55 OF 2015 &
IA NO. 75 OF 2015**

Dated: 7th May, 2018

**Present: Hon'ble Mr. I. J. Kapoor, Technical Member
Hon'ble Mr. Justice N. K. Patil, Judicial Member**

In the matter of:

GRIDCO Ltd.

.... Appellant(s)

Vs.

Central Electricity Supply Utility of Odisha & Ors.

.... Respondent(s)

Counsel for the Appellant(s)

: Mr. R.K.Mehta
Ms. Hlmanshi Andley

Counsel for the Respondent(s)

: Mr. Udayan Verma for
Mr. Prashanto Chandra Sen, Sr. Adv. R-1 & R-2

Mr. R.B. Sharma for R-6

Mr. Rutwik Panda
Ms. Anshu Malik for R-7

ORDER

At the request of learned counsel for the parties, we release this matter from the caption 'part-heard' as it was heard for some time in the other bench.

With the consent of the parties, the matter is taken up for hearing.

Learned counsel for the parties state that the matter has been settled amicably and the same can be disposed of in terms of the Minutes of the meeting dated 06.03.2018 held among GRIDCO, DISCOMs, and SLDC.

We have heard learned counsel for the parties and perused the Minutes of the meeting dated 06.03.2018. The relevant portion thereof reads as under:

“AMICABLE SETTLEMENT

After listening to the parties, CMD came out with the following recommendations;

- *Though the period under Appeal covers the period from 01.04.2012 to 16.02.2014, any proposal for amicable solution without addressing the issues relating to the subsequent period will not be workable.*
- *Therefore the recommendations for settlement for both of the periods are as follows:*
 - a. *For the period from 01.04.2012 to 16.02.2014, the bills towards Unscheduled Energy will be settled as per Intra-ABT Regulation of OERC without considering the penalty for gaming as the recognition of gaming will further burden the ultimate consumers of Odisha.*
 - b. *However, for the period from 17.02.2014 and onwards, in absence of any prevailing DSM Regulations for the State, the Deviation Energy, may be settled between GRIDCO and DISCOMs at BSP Rate, till any Intra-State DSM Regulation in this regard comes into effect.*
 - c. *SLDC will stop billing to DISCOMs on account of deviation of energy henceforth till DSM Regulation is pronounced by OERC and to withdraw the DSM bills so raised SINCE 17.02.2014.*

The proposed methodology for amicable settlement of deviation energy beyond schedule was unanimously accepted by GRIDCO and all the DISCOM Utilities. Further, it was decided to submit the proposed amicable settlement before Hon'ble ATE for final disposal."

In view of the above settlement, the instant appeal is disposed of in terms of the Minutes of the meeting dated 06.03.2018 held among GRIDCO, DISCOMs and SLDC. All the pending IAs shall stand disposed of.

(Justice N. K. Patil)
Judicial Member

ts/mk

(I.J. Kapoor)
Technical Member