

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Appeal No. 47 of 2006**

Dated: 11<sup>th</sup> May, 2006

Present:

Hon'ble Mr. Justice Anil Dev Singh, Chairperson  
Hon'ble Mr. A.A. Khan, Technical Member

M/s RPP Ltd.,  
V/s.

-Appellant

Transmission Corporation of A.P. Ltd & Ors

-Respondents

Counsel for Appellant : Mr. K. Gopal Choudary

Counsel for Respondents : Mr. A. Subba Rao

**ORDER**

The learned counsel for the respondents 1 to 5 states that as on 31<sup>st</sup> March, 2006, 23,18,560 Units of energy produced by the appellant from his generating station is lying banked with the third respondent. However, the learned counsel for the appellant states that the banked energy is about 25, 08,677 units. The learned counsel for the respondents 1 to 5 further states that the respondents agree that in addition to the existing consumers in Schedule III of the Power Wheeling and Purchase Agreement, M/s Akash Hotels Pvt. Ltd; M/s Oil and Natural Gas Corporation Limited; M/s Rama Spinners Private Limited; M/s Agarwal Foundries; M/s MS Agarwal Foundries (P) Ltd and M/s ITC Limited are also included. The learned counsel for the respondents 1 to 5 further states that the embargo for supply of energy for the months of April, May, June and July, 2006, shall not apply in the case of the appellant and it will be open to the appellant to supply banked energy to the aforesaid units in addition to the existing units.

Having regard to the aforesaid statements of the learned counsel for the parties, we direct that the aforesaid banked energy shall be permitted to be supplied to the aforementioned parties in addition to existing parties for whom permission has already been given to the appellant for supply of the banked energy. The embargo for the months of April, May, June and July of 2006, will not apply in the case of the appellant and there shall be no banking charges. Insofar as the question as to how much balance energy to the credit of the appellant stands banked with the respondents 1 to 5 shall be determined by the parties with mutual consultation and agreement.

We also direct the respondents 1 to 5 to decide all applications by the generators for addition of parties to the schedule of existing consumers, within a period of three weeks, positively, from the date of receipt of such applications.

With the aforesaid observations and directions, the appeal is disposed of.

**(Mr.A.A.Khan)**  
Technical Member

**(Mr.Justice Anil Dev Singh)**  
Chairperson

Dated: 11<sup>th</sup> May, 2005