

**COURT-I**

Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)

**E.P. NO. 1 OF 2015 IN**  
**APPEAL NO. 256 OF 2012 & IA NO. 362 OF 2015**

**Dated: 1<sup>st</sup> April, 2016**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson**  
**Hon'ble Mr. I.J. Kapoor, Technical Member**

**In the matter of:-**

**M/s. Nava Bharat Ventures Ltd. ....Petitioner (s)**  
**Versus**  
**GRIDCO Ltd. ....Respondent (s)**

Counsel for the Petitioner(s) : Mr. M.G. Ramachandran  
Mr. R.M. Patnaik  
Mr. P.P. Mohanty

Counsel for the Respondent(s) : Mr. Rajkumar Mehta  
Mr. Abishek Upadhyay  
Ms. Himanshi Andley for R-1

**ORDER**

The petitioner has filed this execution petition with the following prayers:

- a. "Direct the GRIDCO Limited, Respondent to give effect to/complied with the directions of this Hon'ble Tribunal in Judgment dated 01.10.2014 passed in Appeal No. 256 of 2012 and further be pleased to direct the GRIDCO Limited, Respondent to pay the arrear dues of petitioner along with the delayed payment surcharge accrued thereon at the earliest.***
- b. Pass such other Order (s) and this Hon'ble Tribunal may deem just and proper."***

The petitioner is seeking implementation of the Judgment, dated 01.10.2014 in Appeal No. 256 of 2012 passed by this Tribunal.

After issuance of notice, the respondent appeared before us. Efforts were made by this Tribunal to see whether the matter can be put to rest here. However, since there is some dispute between the parties as to the quantum of outstanding amount payable by Respondent No.1 to the petitioner, our efforts were not successful. In the circumstances, it would be appropriate for us to transmit the matter to the executing court i.e., Civil Judge, Senior Division, Bhubaneswar, Odisha for execution under Section 120 (4) of the Electricity Act, 2003.

Hence, we transmit this matter for execution to the Civil Judge, Senior Division, Bhubaneswar, Odisha. Since there is some dispute with regard to the quantum of the outstanding amount payable by Respondent No.1 to the Petitioner, learned Judge shall hear the parties and ensure that the Order, dated 01.10.2014 passed by this Tribunal in Appeal No. 256 of 2012 is executed.

Accordingly, execution petition is disposed of.

**(I.J. Kapoor)**  
**Technical Member**  
ts/dk

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