

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 62 of 2013 &
IANo. 99 of 2013 & IA No. 109 of 2013

Dated : 8th April, 2013

Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member

PTC India Ltd.Appellant(s)

Versus

Gujarat Electricity Regulatory Commission
& Anr. Respondent(s)

Counsel for the Appellant(s): Mr. Amit Kapur
Mr. Rajiv Bhardwaj
Mr. Ravi Kishore
Mr. Varun Pathak
Mr. Vishal Anand

Counsel for the Respondent(s): Mr. M. G. Ramachandran,
Mr. Anand K Ganesan &
Ms. Swagatika Sahoo for R-2

ORDER
(IA No. 99 of 2013 – For interim stay)

We have heard the Learned Counsel for both the parties. On considering the submissions made by the Learned Counsel for both the parties, we pass the following orders:

The Appellant shall pay 50% of the amount decided by the State Commission in the impugned order within 15 days. The balance amount shall be as per the final decision of the Tribunal. The interest on the amounts already paid or found payable shall be as decided by the Appellant Tribunal.

With this observation the IA No. 99 of 2013 is disposed of.

(IA No. 109 of 2013)
(to raise additional grounds)

We have heard the Learned Counsel for both the parties.

As correctly pointed out by the Learned Counsel for the Respondents, the issue of jurisdiction has already been decided in the Appeal which had already been disposed of. Therefore, we are not inclined to permit the Appellant to raise the issue of jurisdiction.

However, it is open to the Learned Counsel for the Appellant to raise other points raised in the application as well as in the Appeal. With this observation the IA No. 109 of 2013 is disposed of.

Post the main Appeal for hearing on **25.04.2013.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

mk/vt