

Court-I

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

**IA-400 of 2013 in
Appeal No. 304 of 2013**

Dated : 11th February, 2014

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

EMCO Energy Ltd. ... Appellant(s)

Versus

**Maharashtra State Electricity Regulatory
Commission ... Respondent(s)**

**Counsel for the Appellant (s) : Mr. Amit Kapur
Mr. Vishrov Mukherjee
Ms. Ritika Arora**

**Counsel for the Respondent (s): Ms. Deepa Chawan
Ms. Ramni Taneja
Mr. Umang Jain
Mr. Kiran Gandhi for R-2
Mr. M.Y. Deshmukh
Mr. Kakasaheb Y. Jaqtap
Mr. Walke (Rep.) for R.3**

ORDER

We have heard the learned counsel for the parties in I.A.

Having regard to the submissions made by both the parties, it would appropriate to record that without prejudice to the rights and contentions of both the parties, the supply from the power station of the Appellant to the Respondent No.2 be commenced from the scheduled date as per the PPA i.e. 17.03.2014. The charges for the transmission

system of Powergrid will be paid by the Appellant directly to the Powergrid for the interim period, which shall be subject to the adjustment as per the outcome of the Appeal. The Appellant shall schedule the power to the Respondent No.2 at the bus bars of the power station of the Appellant. With these observations, the I.A. No. 400 of 2013 is disposed of.

As agreed by the learned counsel for the parties, post the main Appeal for final disposal on **11th & 12th March, 2014.**

In the meantime, the learned counsel for the Respondent No.2 is directed to file her reply to the main Appeal on or before 20.02.2014 after serving copy on the other side. Thereafter, the learned counsel for the Appellant is at liberty to file the Rejoinder, if any, on or before 07.03.2014 after serving copy on the other side.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/kt