

**COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)**

**IA NO. 1834 OF 2018
IN
IA NO. 1835 OF 2018
IN
APPEAL NO. 77 OF 2018 &
IA NO. 318 OF 2018**

Dated: 24th January, 2019

**Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member
Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

In the matter of :

**Maharashtra State Electricity Distribution Co. Ltd. Appellant(s)
Vs.**

Maharashtra Electricity Regulatory Commission & Ors..... Respondent(s)

Counsel for the Appellant(s) : Ms. Rimali Batra
Mr. Teja Raj
Ms. Shruti Awasthi

Counsel for the Respondent(s) : Mr. S. Venkatesh
Ms. Nishtha Kumar for R-2
Mr. Aman Anand
Mr. Aman Dixit
Mr. Pratik Das for R-3
Mr. Vishrov Mukherjee for R-4
Mr. Alok Shankar
Mr. Mahip Singh for R-5

ORDER

**IA NO. 1834 OF 2018
*(Appl. for Urgent Listing)***

Heard the learned counsel appearing for the Appellant and the Respondents.

The learned counsel appearing for the Appellant submitted that in the light of the statement made in Paragraph Nos. 2 to 4, the same may kindly be accepted. The prayer sought may kindly be allowed.

In the light of the statement made in Paragraph Nos. 2 to 4 and for the reasons stated therein and also after taking into consideration the statement made by the learned counsel appearing for the Respondent No. 3, the instant application is allowed. IA, being IA No. 1834 stands, disposed of.

IA NO. 1835 OF 2018
(An Application for seeking Directions)

Heard the learned counsel appearing for the Appellant and learned counsel appearing for the Respondents.

The learned counsel, Mr. Sai Kumar, appearing for the Appellant, on instructions, submitted that out of Rs 28.19 crores, a sum of Rs. 22 crores has already been paid and further, he submitted that Rs. 4.3 crores is under pipeline and it will be paid immediately. Remaining Rs. 1.87 crores is under negotiation with the Respondent No. 3, which will be sorted out and the matter will be settled amicably by the parties expeditiously. Therefore, Mr. Sai Kumar, counsel appearing for the Appellant submitted that his submissions may kindly be placed on record and the IA, being IA No. 1835 of 2018, for seeking directions may kindly be disposed of.

Per-contra, learned counsel appearing for the Respondent No. 3, inter-alia contended and submitted that as on date, they have received only Rs. 22 Crores and the remaining amount of Rs. 6 cores is not yet received and regarding submissions made by the counsel appearing for the Appellant that a sum of Rs. 4.3 cores is under pipeline and will be paid immediately, the same may kindly be placed on record. He further submitted that regarding Rs.1.87 cores, the negotiations between the parties are going on and they will sort out the matter as submitted by the counsel appearing for the Appellant. Therefore, he submitted that, in the light of the statement made by the learned counsel appearing for the Appellant as stated above, the same may kindly be taken on record. The instant application may kindly be disposed of reserving liberty to the Respondent No.3 to file the necessary application for appropriate directions in the event of failure of settlement talks between the parties.

Submissions made by the learned counsel appearing for the Appellant and Respondents, as stated above, placed on record.

In the light of the submissions made by the learned counsel appearing for the Appellant and the Respondents, as stated supra, the instant application stands disposed of reserving liberty to the Respondent No. 3, to file necessary application for appropriate directions in the event of failure of settlement talks between the parties.

With these observations, the instant application filed by the Respondent No. 3 stands disposed of.

Post this matter on **29.01.2019** as agreed by the learned counsels appearing for both the parties.

(Ravindra Kumar Verma)
Technical Member

Bn/kt

(Justice N.K. Patil)
Judicial Member