

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

**Appeal Nos. 166 of 2011, 150 of 2011, 168 of 2011, 172 of 2011, 173 of 2011, 09
of 2012 & I.A. No. 14 of 2012, 18 of 2012, 29 of 2012, 26 of 2012 & 38 of 2012**

Dated: 1st May, 2012

**Present : Hon'ble Mr. Rakesh Nath, Technical Member
Hon'ble Mr. Justice P.S. Datta, Judicial Member**

Appeal No. 166 of 2011

In the matter of:

**Biomass Energy Developers
Association & Ors. ... Appellant (s)**

Versus

**Andhra Pradesh Electricity
Regulatory Commission & Ors. ... Respondent (s)**

Counsel for the Appellant(s) : Mr.K.Gopal Choudhary,

**Counsel for the Respondent(s) : Mr.A.Mariarputham, Sr.Adv
Mr.A.Subba Rao for R-2 to R-6
Mr.A.T.Rao
Mr.Yusuf Khan
Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APEREC)**

Appeal No. 150 of 2011

M/s SLS Power Limited ... Appellant (s)

Versus

**Andhra Pradesh Electricity
Regulatory Commission & Ors. ... Respondent (s)**

**Counsel for the Appellant(s) : Mr.M.G. Ramachandran
Ms. Swapna Seshadri
Mr. Anand K.Ganesan**

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-2-

Counsel for the Respondent(s) : Mr.A.Mariarputham, Sr.Adv
Mr.A.Subba Rao for R-2 to R-6
Mr.A.T.Rao
Mr.Yusuf Khan
Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)

Appeal No. 168 of 2011

**South Indian Sugar Mills
Association & Ors. ... Appellant (s)**

Versus

**Andhra Pradesh Electricity
Regulatory Commission &Ors. ... Respondent (s)**

Counsel for the Appellant(s) : Mr. Challa Gunjanjan
Mr. Mullapudi Rambabu

Counsel for the Respondent(s) : Mr. A.Mariarputham, Sr.Adv
Mr.A.Subba Rao for R-2 to R-6
Mr.A.T.Rao
Mr.Yusuf Khan
Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)

Appeal No. 172 of 2011

Sardar Power Private Limited ... Appellant (s)

Versus

**Andhra Pradesh Electricity
Regulatory Commission &Ors. ... Respondent (s)**

Counsel for the Appellant(s) : Mr.K.Gopal Choudhary

Counsel for the Respondent(s) : Mr.A.Mariarputham, Sr.Adv
Mr.A.Subba Rao for R-2 to R-6
Mr.A.T.Rao
Mr.Yusuf Khan
Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)

Contd...P3

Appeal No. 173 of 2011
&IA No. 60 of 2012

**M/s K.M. Power Private
Limited & Ors.**

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Appellant (s)

Versus

**Andhra Pradesh Electricity Regulatory
Commission & Ors.**

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Respondent (s)

**Counsel for the Appellant(s) : Mr.M.G. Ramachandran
Ms. Swapna Seshadri
Mr. Anand K.Ganesan**

**Counsel for the Respondent(s): Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)**

Appeal No. 9 of 2012 & IA No. 14 of 2012

K.C.P Sugars and Industries Corporation Ltd. & Ors.

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Appellant (s)

Versus

**Andhra Pradesh Electricity Regulatory
Commission & Ors.**

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Respondent (s)

**Counsel for the Appellant(s) : Mr. Challa Gunaranjan
Mr. Mullapudi Rambabu**

**Counsel for the Respondent(s): Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)**

Appeal No. 18 of 2012 & IA No. 61 / 2012

Central Power Distribution Co. of A.P.

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Appellant (s)

Versus

Bollineni Castings Ltd. & Ors.

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Respondent (s)

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Counsel for the Appellant (s) : Mr.A.Mariarputham, Sr.Adv
Mr.A.Subba Rao for R-2 to R-6
Mr.A.T.Rao
Mr.Yusuf Khan
Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)

Counsel for the Respondent(s) : Ms. Swapna Sheshadri for R-5
Mr.K. Gopal Choudhary, Advocate

Appeal No. 29 of 2012 & IA No. 52 of 2012

M/s. Bollineri Castings and Steels Ltd. ... Appellant (s)

Versus

**Andhra Pradesh Electricity Regulatory
Commission & Ors. Respondent (s)**

Counsel for the Appellant(s) : Mr. C. Hanumanta Rao
Mr. Mullapudi Rambabu

Counsel for the Respondent(s) : Mr.A.Mariarputham, Sr.Adv
Mr.A.Subba Rao for R-2 to R-6
Mr.A.T.Rao
Mr.Yusuf Khan

Appeal No. 26 of 2012 & IA No. 46 of 2012

M/s.Kakatiya Cement Sugar & Industries Ltd.... Appellant (s)

Versus

**Andhra Pradesh Electricity Regulatory
Commission & Ors. Respondent (s)**

Counsel for the Appellant(s) : Mr. C. Hanumanta Rao
Mr. Mullapudi Rambabu

Counsel for the Respondent(s): Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APERC)

Appeal No. 38 of 2012 & IA No. 69 of 2012

**M/s. Agri Gold Project Ltd.
& Ors.**

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Appellant (s)

Versus

**Andhra Pradesh Electricity Regulatory
Commission & Ors.**

....

Respondent (s)

Counsel for the Appellant(s) :

**Mr. C. Hanumanta Rao
Mr. Mullapudi Rambabu**

Counsel for the Respondent(s):

**Mr. K.V.Mohan &
Mr. K.V. Balakarishnan (APEREC)**

ORDER

Heard the learned counsel for the respondent nos. 2-4 in Appeal Nos. 168 of 2011 and 09 of 2012. Also heard in part the learned counsel for the appellant in Appeal No. 150 of 2011.

Learned counsel for the distribution licensees stated that vide order dated 16th March, 2012 this Tribunal had allowed I.A. Nos. 52 of 2012 in Appeal No. 29 of 2012, 46 of 2012 in Appeal No. 26 of 2012, 69 of 2012 in Appeal No. 38 of 2012 and 14 of 2012 in Appeal No. 09 of 2012 in line with its interim order dated 1st February, 2012 passed in Appeal No. 150 of 2011 and batch and sought directions whether in respect of these appeals also the payments have to be governed by the order passed by the Hon'ble Supreme Court on 4th April, 2012. Learned counsel for the appellants in these appeals gave an undertaking that they shall be bound by the order of Hon'ble Supreme Court passed on 4th April, 2012. There is no objection raised by the respondent/distribution licensees who submitted that the respondents will abide by the orders of the Hon'ble Supreme Court in these appeals. Therefore, the directions given by this Tribunal on 13th April, 2012 and on 27th April, 2012 for payment will also be applicable in respect of the above appeals.

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Post the matter for further hearing of the Appeal No. 150 of 2011 and batch on 2nd May, 2012.

(Justice P.S. Datta)
Judicial Member

(Rakesh Nath)
Technical Member

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