

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

**Appeal No. 82 of 2011 &**  
**I.A. No. 146 of 2011**

**Dated : 8<sup>th</sup> July, 2011**

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson**  
**Hon'ble Mr. V.J. Talwar, Technical Member**

**Essar Power Limited** **... Appellant(s)**

**Versus**

**Uttar Pradesh Electricity Regulatory Commission & Anr.** **....Respondent(s)**

**Counsel for the Appellant(s):** **Mr. Amit Kapur, Mr. Mansoor Ali &**  
**Mr. Vishal Anand with**  
**Mr. Gopal Rao & Mr. Anil Sharma (Reps.)**

**Counsel for the Respondent(s):** **Mr. M.G. Ramachandran &**  
**Mr. Vishal Gupta for R.2**

**ORDER**

**I.A. No. 146 of 2011**  
(Application for stay)

**Admit the Appeal.**

**Mr. M.G. Ramachandran takes notice on behalf of Respondent No.2.**

**Issue notice to Respondent No.1. Dasti service is permitted.**

**We have heard the learned counsel for the parties in I.A. No. 146 of 2011. Though it is vehemently objected to by Mr. M.G. Ramachandran, the learned counsel for the Respondent for the grant of interim Orders, we find that there is *prima facie* case to grant interim Orders. Therefore, we pass an Order of Status Quo pending disposal of the Appeal.**

**With these observations, the I.A. is disposed of.**

**In view of the objection raised by the learned counsel for the Respondent to the grant of interim Orders on the ground that Athena**

**Power's validity of the offer expires on 15.07.2011, we deem it appropriate to post the main Appeal for final disposal by fixing an early date.**

**Accordingly, Post the Appeal on 15.07.2011 for final hearing.**

**(V.J. Talwar)  
Technical Member**

**(Justice M. KarpagaVinayagam)  
Chairperson**

**TS/KS**