

Court-I

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

Appeal No. 43 of 2015 & IA No. 46 of 2015

Dated: 13th May, 2015

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. T. Munikrishnaiah, Technical Member**

In the matter of

**Punjab State Power Corporation Ltd. Appellant(s)
Versus
Punjab State Electricity Regulatory Commission & Anr.
....Respondent(s)**

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Poorva Saigal
Ms. Ranjitha
Mr. Avinash Menon

Counsel for the Respondent(s) : Mr. Hemant Singh
Mr. Tushar Nagar for R-1
Mr. Aniket Prasoon for R-2

ORDER

With the consent of the Appellant and Respondent N.2 and without going into the merits of the respective contentions of the parties in the Appeal and in the peculiar facts and circumstances of the case in modification of the impugned Order, the disputes and differences between the Appellant and Respondent No.2 are hereby

referred to the panel of three Arbitrators, namely, Hon'ble Mr. Justice (Retd.) R.M. Lodha, Former, Chief Justice of India as Presiding Arbitrator and Hon'ble Mr. Justice (Retd.) Anil Dev Singh, Former Chief Justice, Rajasthan High Court and Chairperson, Appellate Tribunal for Electricity and Hon'ble Mr. R.D. Gupta, Ex-Member, UPERC as the nominee Arbitrators of the parties.

It is clarified that the appointment of the above arbitrators and disposal of the appeals are (a) without going into the legality of the issues involved in the case; (b) without expressing any opinion on the decision taken by the State Commission and (c) without casting any aspersion on the arbitrator named by the State Commission or action taken by the State Commission.

The fees of the arbitrators will be shared by the parties. Needless to say that fees and procedure of the arbitration will be decided by the arbitrators.

Accordingly, the appeal is disposed of.

(T. Munikrishnaiah)
Technical Member
TS/H CJ

(Justice Ranjana P. Desai)
Chairperson