

COURT-I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**APPEAL NO. 130 OF 2018 &
IA NO. 610 OF 2018**

Dated : 23rd September, 2019

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member**

In the matter of:

Adani Power Maharashtra Limited	Appellant(s)
Vs.		
Maharashtra Electricity Regulatory Commission & Anr.	Respondent(s)

Counsel for the Appellant(s) : Mr. Anand K. Ganesan
Mr. Ashwin Ramanathan
Mr. Amal Nair
Mr. Utkarsh Singh
Mr. Damodar S.

Counsel for the Respondent(s) : Mr. Ahsutosh Srivastava for R-2

ORDER

The main contention of the Appellant seems to be that there could be start up / netting up of power between the Appellant and the Respondent/DISCOMs. We also notice that the Appellant is supplying approximately 3330 MWs of power to Respondent/DISCOM in Maharashtra and the dispute seems to be with regard to 30 MW connection of power used as start up power and according to the Appellant, they had never used this power after commissioning of their plant. Therefore, they also must be permitted to close the connection since such benefit of closure is already extended to Ratnagiri Power Plant (NTPC) and Maharashtra State Power Generating Company.

We direct Respondents/DISCOMs to seek proper instructions, whether the matter could be sorted out amicably between the parties since there seems to be element of settlement.

Meanwhile, we direct the Respondent/DISCOMs not to precipitate / act on disconnection notices till next date of hearing.

List the matter on **23.10.2019**.

(S.D. Dubey)
Technical Member

(Justice Manjula Chellur)
Chairperson

pr/mkj