

COURT- 1

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

APL No. 89 OF 2019 & IA No. 424 OF 2019
APL No. 103 OF 2019 & IA No. 442 OF 2019 & IA No. 1691 OF 2019 & IA No.
1740 OF 2019 & IA No. 1912 OF 2019

Dated: 22nd October, 2019

Present:
Hon'ble Mrs. Justice Manjula Chellur, Chairperson
**Hon'ble Mr. Ravindra Kumar Verma, Technical
Member(electricity)**

In the matter of:

APL No. 89 OF 2019 & IA No. 424 OF 2019

M/s Bhadreshwar Vidyut Private Limited **Appellant(s)**
Versus
Maharashtra Electricity Regulatory Commission **Respondent(s)**

Counsel for the Appellant(s) : Hemant Singh for A1
Nishant Kumar for A1
Tushar Srivastava for A1
Ambuj Dixit for A1

Counsel for the Respondent(s) : Udit Gupta for R2
Anup Jain for R2

APL No. 103 OF 2019 & IA No. 442 OF 2019 & IA No. 1691 OF 2019 & IA No.
1740 OF 2019 & IA No. 1912 OF 2019

M/s Bhadreshwar Vidyut Private Limited **Appellant(s)**
Versus
Maharashtra Electricity Regulatory Commission **Respondent(s)**

Counsel for the Appellant(s) : Hemant Singh for A1
Nishant Kumar for A1
Tushar Srivastava for A1
Ambuj Dixit for A1
Lakshyajit Singh Bagdwal for A1
Shariq Ahmed for A1

Counsel for the Respondent(s) : Udit Gupta for R2
Anup Jain for R2

ORDER

Heard learned senior counsel Mr. Basava Prabhu S. Patil and counsel appearing for Respondent Discom. According to senior counsel though the prompt payment discount is being reflected in the revised bill filed today, the same is not properly either adjusted or is not refunded to the party from whom it was collected.

He further submits that under threat of disconnection certain amounts pertaining to arrears which is the subject matter of the stay order was paid therefore it was a payment under protest and the same has to be refunded or there must be clarification from Respondent's counsel if they have adjusted.

According to Respondent's counsel the revised bill answers most of the queries raised by the Appellant.

In the above circumstances, we direct the Appellant to file separate application for interim direction itemwise showing the amount which was already paid, which they are not supposed to pay amount/benefit inspite of payment if not reflected/refunded in order to have proper understanding of the real dispute between the parties with advance copy within two weeks.

The interim order directing Respondent not to take coercive steps is revived and continue till next date of hearing.

One week time is granted to file reply, if any, on the interim application to be filed in terms of above order.

List the IA for hearing on **21.11.2019.**

Ravindra Kumar Verma
Technical Member(electricity)

Justice Manjula Chellur
Chairperson

MK