

**COURT-I**

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

**APPEAL NO. 326 OF 2018 &  
IA NO. 996 OF 2019**

**Dated : 11<sup>th</sup> July, 2019**

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

**In the matter of:**

**GMR Kamalanga Energy Limited ... Appellant(s)  
Versus  
Central Electricity Regulatory Commission & Ors. ... Respondent(s)**

Counsel for the Appellant(s) : Mr. Vishrov Mukerjee  
Mr. Yashaswi Kant

Counsel for the Respondent(s) : Mr. R.K. Mehta  
Ms. Himanshi Andley for R-2

Mr. Hitendra Nath Rath for R-4 to R-6

**ORDER**

After going through the calculation submitted in further written submissions of Respondent No.2/GRIDCO in terms of calculation sheet at Annexure 1 Page 4, the amount arrived at as disputed amount is Rs.65.99 crores which becomes due if charges are calculated in terms of Impugned Order. We have not expressed any opinion on any of the contentions raised and main appeal shall be heard and disposed on merits. Meanwhile having regard to entire circumstances and the contentions raised by both the parties, we direct Respondent No.2/GRIDCO to pay Rs.65.99 Crores in equal two instalments. The first instalment shall be paid

on or before July 15<sup>th</sup>, 2019 and the second instalment shall be paid on or before August 1<sup>st</sup>, 2019. This payment is subject to final order on merits on the appeal. Further, we make it clear that in future, on monthly energy charge bills, there shall not be any withholding of amount on account of dispute of firm linkage refuting calculations based on pro-rata linkage.

List the matter on **29.08.2019.**

**(Ravindra Kumar Verma)**  
**Technical Member**  
mk/pk

**(Justice Manjula Chellur)**  
**Chairperson**