

COURT-I

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

**IA NO. 1100 OF 2017 IN
APPEAL NO. 153 OF 2017 &
IA NO. 1101 OF 2017**

Dated: 11th December, 2017

**Present: Hon'ble Mr. I. J. Kapoor, Technical Member
Hon'ble Mr. Justice N. K. Patil, Judicial Member**

In the matter of:

M/s Hinduja National Power Corporation Ltd.	Appellant(s)
Vs.		
Andhra Pradesh Electricity Regulatory Commission & Ors.	Respondent(s)
Andhra Pradesh Eastern Power Distribution Company Ltd.	Applicant(s)/R-2
Andhra Pradesh Southern Power Distribution Company Ltd.	Applicant(s)/R-2

Counsel for the Appellant(s) : Mr. M. G. Ramachandran
Ms. Poorva Saigal
Mr. Shubham Arya

Counsel for the Respondent(s) : Mr. K. V. Balakrishnan for R-1

Mr. Basava Prabhu Patil, Sr. Adv.
Ms. Perna Singh for R-2 & 3

ORDER

IA NO. 1101 OF 2017
(Appln. for urgent listing)

Inasmuch as I.A . No. 1100 of 2017 (Appln. for extension of time) is listed for hearing today, this application becomes infructuous and is disposed of as such.

IA NO. 1100 OF 2017
(Appln. for extension of time)

In this application, the Applicants/Respondent Nos. 2 & 3 have prayed as under:

“ (a) Extend the time given to Respondent No.1 for disposal of O.P. No. 21 of 2015 and O.P. No. 19 of 2016 from 16.12.2017 to 16.04.2018”

We have heard learned counsel for the parties and also perused the application filed by the Applicant/Respondent Nos. 2 & 3. In the said application, the applicant has stated as under:

“It is humbly submitted that the review of the PPAs including the present PPA, talks and deliberations are still underway. PPAs are being examined by the Government duly considering the projections of demand supply of the newly divided state to take a holistic view on the power section. As such some more time is required to conclude the said process by the Government.”

We are informed by Mr. M.G. Ramachandran, learned counsel for the Appellant that the date of pronouncement of order in both the aforesaid petitions is notified as 16.12.2017 vide order dated 31.10.2017 passed by the State Commission.

By order dated 01.06.2017 passed in Appeal No. 153 of 2017, this Tribunal directed the State Commission to dispose of the aforesaid two petitions on or before 14.08.2017. Thereafter, on an application filed by Respondent No.1, time to dispose of the said petitions was extended till the end of October 2017. On 30.10.2017 a memorandum was filed by the appellant in consultation with the Respondent-Distribution Companies requesting for extension of further time. The statement made by Respondent Nos. 2 & 3 confirming the statements made by the appellant in the memorandum is recorded by us in our order dated 30.10.2017 and the time was extended till 16.12.2017

The instant application is filed by the Applicants/Respondent-Distribution Companies praying for additional time of four months for the reasons quoted above. Since the talks and deliberations are still underway, keeping the interest of justice in mind and as a last chance, we extend the time to comply with our order dated 01.06.2017 till 15.01.2018. The Respondent-Distribution Companies will be at liberty to approach the State Commission for deferment of the pronouncement of order in the aforesaid petitions.

With the above observation, the application is disposed of.

(Justice N. K. Patil)
Judicial Member

(I.J. Kapoor)
Technical Member