

COURT - I

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

**APPEAL NO. 153 OF 2017 IN
IA NO. 385 OF 2017**

Dated: 1st June, 2017

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of :

M/s. Hinduja National Power Corporation Ltd. ...Appellant(s)

Vs.

Andhra Pradesh Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant(s) : Mr. M.G.Ramachandran
Mr. Shubham Arya
Mr. Abhishek Sharma
Ms. Nishtha Gupta
Mr. Vinayak Bhandari

Counsel for the Respondents(s) : Mr. K.V.Mohan
Mr. K.V.Balakirshnan for APERC

Ms. Perna Singh for R-2 & R-3

ORDER

We have heard learned counsel for the parties in IA No. 385 of 2017. Mr. M.G. Ramachandran, learned counsel appearing for the Appellant submitted that in the circumstances of the case, proper course will be to give a direction to the '*Andhra Pradesh Electricity Regulatory Commission*' (State Commission) to dispose of the two pending petitions within a period of two months as the petitions are pending for about two years. Learned counsel for the State Commission, on the other hand, submitted after taking instructions from the State Commission that the State Commission requires four months time to dispose of the petitions because the record is very bulky. Mr. M.G. Ramachandran submitted that in case the direction is

given to the State Commission to dispose of the two pending petitions, he will not press for the interim relief at this stage and the appellant will withdraw the Review Petition filed by it before the State Commission. We accept this statement. In the peculiar circumstances of the case considering that the two petitions are pending before the State Commission for about two years, we are of the opinion that the State Commission should be directed to dispose-of the pending petitions within a period of three months from today i.e. on or before 14.08.2017.

Hence the following order:

ORDER

- a). The State Commission shall dispose-of two petitions pending before it within a period of three months from today, i.e. on or before 14.08.2017
- b). The Appellant shall withdraw the pending Review Petition before the State Commission as per the statement made in the court.

In view of the above, the appeal as well as the IA, being IA No. 385 of 2017 are disposed-of with liberty to the Appellant to approach this Court, if circumstances so demand.

(I. J. Kapoor)
Technical Member

vt/kt

(Justice Ranjana P. Desai)
Chairperson