

**COURT-I**

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

**IA No. 1049 of 2019**

**IN**

**APPEAL NO. 41 of 2018 IA Nos. 326 & 554 of 2018**

**Dated: 29<sup>th</sup> May, 2019**

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

**In the matter of:**

**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, Sr. Adv.  
Mr. Shubham Arya  
Mr. Abhishek Sharma

Counsel for the Respondent(s) : Mr. K. V. Mohan  
Mr. K.V.Balakrishnan  
Mr. R.K.Sharma for R-1  
Ms. Purna Singh for R-2 & R-3

**ORDER**

The signed copy of the Memo sent by Respondent Nos. 2 & 3 is placed on record.

Respondent Nos. 2 & 3 have expressed two options how they would mitigate the present situation of paying arrears to the Appellant.

On going through the same after hearing the Learned Counsel for Appellant, we are of the opinion that the option at Para-5 which reads as under is more reasonable because there is some certainty for payment.

*“In view of the above, the Respondents submit that they would pay Rs.10 Crs. in the second week i.e. by 15<sup>th</sup> June, 2019 besides paying another Rs. 30 Crs. by the end of June, 2019. Likewise, every month APDISCOMs would arrange in two instalments an amount of Rs. 40 Crs. till the said due amount of Rs. 223. 74 Crs are cleared.”*

Hence, we direct the Respondent Nos. 2 & 3 to comply with the undertaking (in terms of Memo without fail).

We also direct the Respondent Nos. 2 & 3 to pay current bills as and when amounts become due as per the agreement.

Since the arguments are concluded, the matter is **reserved for orders.**

**(S.D. Dubey)**  
**Technical Member**

*kt/mkj*

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