

**COURT-I****IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)****IA No.173 OF 2017 IN  
APPEAL NO. 64 OF 2017 &  
IA NO. 174 OF 2017****Dated: 24<sup>th</sup> May, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. I.J. Kapoor, Technical Member****In the matter of:-****National Energy Trading and Services Ltd. .... Appellant (s)  
Vs.  
Rajasthan Electricity Regulatory Commission & Ors. .... Respondent (s)**

Counsel for the Appellant(s) : Mr. Deepak Khurana

Counsel for the Respondent(s) : Mr. Raj Kumar Mehta  
Mr. Elangbam Premjit Singh  
Ms. Himanshi Andely for R-1**ORDER****IA No.173 OF 2017  
(Application for stay)**

By the impugned order, the Rajasthan Electricity Regulatory Commission has directed that Respondent Nos. 2 to 5 are entitled to recover a sum of Rs. 1,08,54,539/- from the appellant. In this application, the applicant/appellant has prayed that the impugned order be stayed.

On 23.03.2017, we issued notice on the appeal as well as on the interim application. All the respondents were served and affidavit of service has been filed. On 12.04.2017, we admitted the appeal. Since nobody appeared for Respondent Nos. 2 to 5, we issued notice to respondent Nos.2 to 5 and directed Respondent No.5 not to take any coercive steps

against the appellant till 01.05.2017. Again, on 01.05.2017, none appeared on behalf of Respondent Nos.2 to 5. In order to give one more opportunity to Respondent Nos. 2 to 5 to enter their appearance we adjourned the matter to 24.05.2017. Even today, nobody is representing Respondent Nos.2 to 5. In the circumstances, looking to the conduct of Respondent Nos. 2 to 5 in choosing not to appear before this Court in spite of notice, we deem it appropriate that the interim protection granted to the appellant on 12.04.2017 should continue to operate till the disposal of this appeal. Hence, Respondent No.5 is directed not to take any coercive steps against the appellant till the disposal of this appeal. Needless to say that this order will abide by the final order that will be passed in this appeal. Application is disposed of.

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List the matter on **21.08.2017**. In the meantime, pleadings be completed.

**(I.J. Kapoor)**  
**Technical Member**

ts/kt

**(Justice Ranjana P. Desai)**  
**Chairperson**