

**COURT - I**

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

**IA NO. 217 OF 2017 IN  
APPEAL NO. 63 OF 2016 &  
IA NO. 218 of 2017**

**Dated: 1<sup>st</sup> May, 2017**

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

**In the matter of :**

**M/s Orissa Power Consortium Ltd.**

**...Appellant(s)**

**Vs.**

**Odisha Electricity Regulatory Commission & Ors.**

**...Respondent(s)**

Counsel for the Appellant(s) : Mr. Tarun Johri  
Mr. Ankur Gupta  
Mr. Ankit Saini

Counsel for the Respondent(s) : Mr. Rutwik Panda  
Ms. Anshu Malik for R.1  
Mr. Raj Kumar Mehta  
Ms. Himanshi Andley for R.2  
Ms. Shivangi Vaid for R.3  
Mr. Aruna V.Patnaik for R.4

**ORDER**

**I.A. No. 217 of 2017**

*(Appl. for stay)*

In this application, the following prayer is made:

*“a. Allow the instant application and thereby, restrain the Respondent No.4, its employees or agents etc. from taking any threatened actions in terms of their letter No. HWD/Estr./2017/516 dated 10.02.2017 or in any manner stopping the water supply to the Project, till the final adjudication of the instant aforementioned appeal.*

We have heard learned counsel for the parties. We are of the opinion that this issue does not arise in this appeal at all. The remedy of the appellant/applicant may lie somewhere else. Looking to the nature of the dispute, we feel that ideally the dispute should be settled. It will be open to the appellant to seek any other remedy if it is available to it in law and if it so desires. We have expressed no opinion on this aspect. Application is disposed of.

**APPEAL NO. 63 OF 2016**

List the main appeal on **27.07.2017**.

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

*ts/kt*

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