

COURT-I

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

**APPEAL NO. 321 OF 2018
& IA NOS. 1543 & 1542 OF 2018**

Dated: 30th October, 2018

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

In the matter of:

V.S. Lignite Power Private Limited **Appellant(s)**
Versus
Rajasthan Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Mr. Anand K.Ganesan
Ms. Ashwin Ramanathan

Counsel for the Respondent(s) : Mr. Bipin Gupta for R-3

ORDER

Admit. Issue notice to the Respondents returnable on 06.02.2018.
Dasti, in addition, is permitted.

Mr. Bipin Gupta, learned counsel is appearing on behalf of Respondent No.3, the caveator, and seeks a week's time to file reply to the stay application. Our attention is drawn to notice of disconnection dated 18.10.2018, which indicates that if the amount demanded in the show cause notice is not paid, it would follow disconnection of power supply.

Mr. M.G. Ramachandran, learned counsel appearing for the Appellant submits that in terms of directions of the State Commission, they had already deposited 50% of Rs. 26 Crores and they would continue to pay 50% of the demand. He further submits that the amount has to be calculated in terms of charges fixed by the Central Commission and impugned order is against the provisions or directions of the Central Commission.

In the light of the above submission of the Appellant, we direct the parties to maintain status quo with regard to show cause notice mentioned above, as long as 50% of the demands continues to be paid by the Appellant.

List the matter on **06.02.2019**. In the meantime, learned counsel for the respondents may file reply on or before 12.12.2018 with advance copy to the other side. Thereafter, rejoinder may be filed on or before 27.12.2018 with advance copy to the other side.

(S.D. Dubey)
Technical Member

(Justice Manjula Chellur)
Chairperson

ts/kt