

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

Appeal No. 97 of 2007

Dated : April 1, 2008

**Present: Hon'ble Mr. Justice Anil Dev Singh, Chairperson
Hon'ble Mr. A.A. Khan, Technical Member**

**Manihamsa Power Projects Ltd., ... Appellant (s)
Versus
Eastern Power Distribution Co. of A.P. & Anr., ... Respondent (s)**

Counsel for the Appellant (s) : Mr. K. Gopal Choudary

Counsel for the Respondent (s) : Ms. Ruchika Rathi &
Ms. Shikha Ohri for EPDCL –Resp.1
Mr. K.V. Mohan &
Mr. K.V. Balakrishnan for APERC

Mr. O. Simhadri (CGM, APEPDCL,
Visakhapatnam)

ORDER

On February 18, 2008, it was stated by the first respondent that in case the appellant seeks to delete the additional 1.5 MW from the scope of the existing Power Purchase Agreement, it can be done with mutual consent of both the parties. The learned counsel for the appellant had responded by stating that his client was ready to delete the additional 1.5 MW from the scope of the existing Power Purchase Agreement.

Today, the learned counsel for the first respondent has filed a memo, whereby it is stated that the first respondent, Eastern Power Distribution Company of Andhra Pradesh Limited consents to the request of the appellant to delete the additional 1.5 MW capacity from the scope of the existing Power Purchase Agreement, dated July 28, 2004.

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In view of the Memo, the learned counsel for the appellant states that the appeal be disposed of in terms of the statement made by the first respondent in the memo.

Accordingly, the appeal is disposed of in terms of the memo filed by the first respondent and the additional 1.5 MW capacity shall be deleted from the scope of the existing Power Purchase Agreement, dated July 28, 2004.

(A.A. Khan)
Technical Member

(Anil Dev Singh)
Chairperson

Dated: April 1, 2008