

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

**Appeal No. 180 o 2010 & IA No. 249/10**

**Dated: 10<sup>th</sup> December, 2010**

**Present : Hon'ble Mr. Rakesh Nath, Technical Member  
Hon'ble Mr. Justice P.S. Datta, Judicial Member**

**M/s. Antartic Industries Ltd.**

**... Appellant (s)**

**Versus**

**Punjab StatePower Corporation Ltd. & Ors.**

**... Respondent (s)**

Counsel for the Appellant (s) : Mr. Laliet Kumar  
Mr. Mohit D. Ram  
Counsel for the Respondent(s) : Mr. Skesh Kumar for PSERC  
Mr. J.C. Shukla, Registrar for PSERC  
Mr. Anand K Ganeshan and  
Ms. Ranjitha for R-1

**ORDER**

Heard the learned Counsel for the parties. In Appeal No. 192 of 2009 in similar matter in respect of FY 2009-10, this Tribunal in its Judgment dated 16.7.2010 had directed the Appellant to approach the State Commission and place the material before the State Commission which in turn will consider the same in the light of the observations made in the judgment and fix the rate of surcharge in direct proportion to the incremental transmission losses, transformation losses and charges for use of additional 66/11 KV transmission system for Appellants and similarly placed consumers. The Commission was also directed to decide the matter expeditiously preferably within three months. In the light of the observations made in the judgment dated 16.7.2010,

we dispose of the Appeal and remand the matter to the State Commission with directions to determine the surcharge as applicable to the Appellant and similarly placed consumers within three months.

**(Justice P.S. Datta)**  
**Judicial Member**

**(Rakesh Nath)**  
**Technical Member**

**PK**