

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

**APPEAL NO. 184 OF 2008**

Dated: 2<sup>nd</sup> March, 2009

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. A.A. Khan, Technical Member**

**M/s. Indian Acrylics Ltd. ... Appellants (s)**

**Versus**

**Secretary, Deptt. Of Power,  
Govt. of Punjab & Ors.**

**... Respondent (s)**

Counsel for the Appellant/ (s) : Mr. Deepak Sabharwal

Counsel for the Respondent (s) : Mr. J. C. Shukla, Registrar for PSERC

**ORDER**

Though we have rejected the main point urged by the counsel for the Appellant with respect to the applicability of 2006 policy we thought it fit to issue notice in regard to other point namely the relief for enhancement of rates as cost of generation has gone up over a period of time. The Punjab State Electricity Board (PSEB) has filed the counter. We have heard the representative for the Punjab State Electricity Commission also.

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After going through the impugned order and also after hearing the counsel for the parties we do not find any ground to hold that the order passed by the Commission would suffer from any infirmity. If the appellant feels that there must be fresh agreement in the light of the escalation of the costs of generation it is for the appellant to approach the PSEB to place all the material about the escalation and then arrive at a common settlement with reference to the rates. Accordingly, the appellant is at liberty to approach the PSEB seeking for a fresh agreement, if so advised. If it is approached, it is for the PSEB to take appropriate decision to arrive at a settlement in accordance with law.

With this observation the Appeal is disposed of.

**(A.A. Khan)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**

