COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 116 OF 2025 & IA No. 658 OF 2025 & IA No. 543 OF 2025 & IA No. 542 OF 2025

Dated: 21st April, 2025

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Ms. Seema Gupta, Technical Member (Electricity)

In the matter of:

Juniper Green Energy Private Limited	....	Appellant(s)
Versus		
Damodar Valley Corporation & Ors.	....	Respondent(s)

Counsel on record for the Appellant(s)	:	Vishrov Mukerjee Janmali Gopal Rao Manikala Nishtha Kumar Yashaswi Kant Girik Bhalla Raghav Malhotra Damodar Solanki Priyanka Vyas Anamika Rana Juhi Senguttuvan Rohan Sachdev for App. 1
Counsel on record for the Respondent(s)	:	Shri Venkatesh Shryeshth Ramesh Sharma Kanika Chugh Ashutosh Kumar Srivastava Abhishek Nangia Akash Lamba Nihal Bhardwaj Siddharth Nigotia Surbhi Kapoor Kartikay Trivedi Aashwyn Singh Mohit Gupta Manu Tiwari Harsh Vardhan

Aniket Kanhaua
Suhael Buttan
Priya Dhankar
Anant Singh
Vineet Kumar
Nikunj Bhatnagar
Kunal Veer Chopra
Vedant Choudhary
Tarang Saraogi
Shivam Kumar
for Res. 1

ORDER

IA-658/2025
(For early hearing)

The matter listed before us, having served its purpose, stands disposed of.

APL No. 116 OF 2025 & IA No. 543 OF 2025 & IA No. 542 OF 2025

The Appellant herein had, on being declared to be a successful bidder in the Section 63 process, furnished a bank guarantee for Rs. 6.63 Crores. Mr. B.P. Patil, Learned Senior Counsel appearing on behalf of the appellants, would submit that, since invocation of the bank guarantee would affect the Appellant's credibility with financial institutions and banks, they have already deposited the said sum of Rs. 6.63 Crores with the second Respondent on 19.04.2025; and, since they have already deposited the money, the second Respondent be directed to return the bank guarantee furnished by them earlier.

As the Appellant has already paid the amount which the second Respondent would have been entitled to receive on invocation of the bank guarantee, we see no reason to deny the Appellant's request for the bank guarantee to be returned to them. The second Respondent shall, with utmost expedition and in any event within three weeks from today, return

the bank guarantee furnished to them by the Appellant. Suffice it to make it clear that the amount deposited by the Appellant with the second Respondent, and the bank guarantee returned by the second Respondent to them, shall both be subject to further orders being passed in the IA for interim relief.

Mr. Shri Venkatesh, Learned Counsel for the first Respondent, seeks three weeks' time to file reply, and submit that, in the interregnum, no coercive steps would be taken by them pursuant to the order impugned in the appeal. We see no reason, in such circumstances, to deny them an opportunity to file their reply. Mr. B.P. Patil, Learned Senior Counsel seeks one week's time thereafter to file rejoinder.

Reply shall be filed within three weeks by the Respondent, and rejoinder shall be filed by the appellant within one week thereafter.

Post the matter on ***20.05.2025.***

(Seema Gupta)
Technical Member (Electricity)

(Justice Ramesh Ranganathan)
Chairperson

mk/dk