

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

EP No. 3 OF 2025 & IA No. 545 OF 2025 & IA No. 891 OF 2025

Dated: 26th May, 2025

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

In the matter of:

AMR Power Private Limited

.... (s)

Versus

Mangalore Electricity Supply Company

.... Respondent(s)

Counsel on record for the (s) : Vidit Sinh
for App. 1

Counsel on record for the Respondent(s) :
for Res. 1

ORDER

The present Execution Petition is filed seeking execution of the judgment and decree passed by this Tribunal in Appeal No. 211 of 2021 dated 19.12.2024. Aggrieved by the aforesaid judgment, the respondent herein filed Civil Appeal Diary No. 8985 of 2025 before the Supreme Court. By its order, in IA No. 96890 of 2025 dated 28.04.2025, the Supreme Court granted stay of the judgment in Appeal No. 211 of 2021 dated 19.12.2024, subject to the Appellant paying 50%, of the amount payable as per the impugned order, to the Respondent (Execution Petitioner herein) within two months ie on or before 27.06.2025.

Since there is a conditional stay order passed by the Supreme Court, the Appellant is disentitled from seeking execution of the judgment

and decree in Appeal No. 211 of 2021 dated 10.102.2024 as long as the said interim order continues to remain in force.

We see no reason, in such circumstances, to keep the execution proceedings pending on our board, and are of the view that the Appellants' interest can be adequately safeguarded by granting them liberty, if need be, to move an execution petition either after the aforesaid interim order is varied or vacated by the Supreme Court, or after the Civil Appeal is finally disposed of.

Subject to aforesaid observations the Execution Petition is dismissed.

(Seema Gupta)
Technical Member (Electricity)
mk/dk

(Justice Ramesh Ranganathan)
Chairperson