

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 171 of 2025 & IA No. 968 OF 2025 & IA No. 810 OF 2025 & IA
No. 811 OF 2025 & IA No. 969 OF 2025

Dated: 17th June, 2025

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Mr. Sandesh Kumar Sharma, Technical Member
(Electricity)

In the matter of:

Rajasthan Urja Vikas and IT Services Limited (Formerly
known as Rajasthan Urja Vikas Nigam Limited) &Ors. Appellant(s)

Versus

DB Power Limited &Anr. Respondent(s)

Counsel on record for the Appellant(s) : Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for App. 1

Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for App. 2

Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for App. 3

Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma

Devyani Prasad
for App. 4

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

ORDER

IA/968/2025
(For Urgent Listing)

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

IA-969/2025
(For interim relief)
IN DFR No : 171 of 2025 & IA No. 810 OF 2025 &
IA No. 811 OF 2025

While Mr. Anand K. Ganesan, Learned Counsel for the Appellant, would submit that the delay in invoking the jurisdiction of this Tribunal is because the invoice raised by the second Respondent was corrected twice at the Appellant's behest, we cannot ignore the fact that the appeal is not against the invoice, but against the order passed by the CERC as early as on 19.03.2025.

We are, prima facie, of the view that the Appellant ought not to have waited till less than a week before the trigger date ie 22.06.2025, and ought to have approached this Tribunal either in April, 2025 or at least by the first week of May, 2025, long before the summer recess in June, 2025.

When we enquired from him regarding the financial liability fastened on the Appellant by the impugned order, Sri Anand. K. Ganeshan, Learned Counsel for the Appellant, would submit that the liability would be around Rs. 95 Crores. Bearing in mind the fact that the Appellant seeks an ex-parte ad-interim order without the respondents even being

put on notice, and as they may otherwise suffer regulation of short term supply on the trigger date of 22.06.2025 which may cause them grave prejudice in these peak summer months, we deem it appropriate, without expressing any opinion on merits, to direct that, pending further orders in this IA for interim relief, the trigger date be deferred till 10.07.2025 on condition that the Appellant pays an adhoc sum of Rs. 30 Crores to the second Respondent within two weeks from today. Needless to state that the amount so paid by the Appellant shall be subject to further orders in this IA.

Issue notice to the Respondents both in the main Appeal and in the IAs returnable on 08.07.2025. Dasti notice is permitted. The said notice shall bear the next date of hearing.

Post the matter on **09.07.2025.**

(Sandesh Kumar Sharma)
Technical Member (Electricity)
pr/mk

(Justice Ramesh Ranganathan)
Chairperson