

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

COURT-II

APL NO. 443 OF 2019

Dated: 11th February, 2021

**Present: Hon'ble Mr. Ravindra Kumar Verma, Technical Member
Hon'ble Mr. Justice R.K. Gauba, Judicial Member**

In the matter of:

Team Ferro Alloys Pvt. Ltd.

.... Appellant (s)

Vs.

**Maharashtra State Electricity Distribution Company Ltd.
& Ors.**

.... Respondent(s)

Counsel for the Appellant (s) : Mr. Anand K. Ganesan

Counsel for the Respondent (s) : Mr. Rahul Chouhan for R-1

ORDER

This matter has been taken up by video conference mode on account of pandemic conditions, it being not advisable to hold physical hearing.

Heard the learned counsel representing the appellant for quite some time. Submission of the appellant is that he has a Biomass plant in the State of Maharashtra. The plant is ready to generate electricity but has not been operational for the last two years. The respondent Discom invited competitive bids for procurement of power from the Biomass sources in the year 2019. However, the whole process of procurement of power through bidding process from the biomass plant had to be abandoned because of the receipt of only one bid which was from the appellant herein. In view of this fact, the plant is stranded and not able to generate and supply power. The appellant submitted that in view of the circumstances and financial hardship the matter may be heard on merit and be included in the Court-2 VC final hearing list. Accordingly, the prayer is allowed and the matter is listed and placed at the bottom of Court-2 VC final hearing list In terms of

the decision taken by us by Order dated 17.07.2020 in Appeal no. 232 of 2016 in the case of *Jaiprakash Power Ventures Ltd. vs Madhya Pradesh Power Management Company Ltd. & Ors.*

If the appeal does not come up in near future, the appellant will have the liberty to mention the same accordingly.

Be listed accordingly.

(Justice R.K. Gauba)
Judicial Member
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(Ravindra Kumar Verma)
Technical Member