

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 303 OF 2025 & IA No. 1047 OF 2025

Dated: 19th January, 2026

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Mr. Ajay Talegaonkar, Technical Member (Electricity)

In the matter of:

Maharashtra State Electricity Distribution Company Limited Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : Samir Malik
Nikita Choukse
Tushar Mathur
for App. 1

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

Hemant Sahai
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Priya Dhankar
Abhishek Nangia
Mohit Mansharamani
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Manu Tiwari
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Shaida Das
Kamya Sharma
Deepak Thakur
Aparna Tiwari
Amaan Ahmed Khan
Shivam Kumar
Divyansh Kasana
Varnika Tyagi
Kunal Veer Chopra
Indu Uttara
Tanishka Khatana
Siddharth Nigotia
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Mohit Gupta
Vedant Choudhary
Aniket Kanhaua
Tarang Saraogi
Kartikay Trivedi
Manav Bhatia
Adarsh Singh
Drishti Rathi
Ananya Dutta
for Res. 2

Ranjitha Ramachandran
Srishti Khindaria
Aneesh Bajaj
for Res. 3

ORDER

A common order was passed by the CERC, in Petition No. 179/MP/23 and batch, on 10.03.2025. These petitions were filed, by the second Respondent in this appeal, under Section 11(2) of the Electricity Act. By the order, impugned in this appeal, the CERC directed the procurers, including the Appellant herein, to pay certain amounts to the 2nd Respondent. In compliance with the impugned order, and without

prejudice to their rights in the appeal, the Appellant herein made payment.

GUVNL and other procurers (apart from the Appellant herein and the Haryana Discoms) who were parties to Petition No. 179/MP/23 before the CERC filed appeals, in Appeal No. 122 of 2025 and batch, before this Tribunal. While expressing its disinclination to interfere with the impugned order, this Tribunal, in its order in Appeal No. 122 of 2025 and batch dated 31.10.2025, took note of the submissions urged on behalf of the 2nd Respondent herein that they would furnish a Bank Guarantee for the amounts payable to them by the Appellants in terms of the impugned order.

This Tribunal, while directing the CERC to compute and determine the amounts payable, directed that the 2nd Respondent-Tata Power should, in terms of the submissions made before this Tribunal, furnish unconditional bank guarantees from a scheduled bank, for the entire amount determined by the CERC as payable to it in terms of its order dated 10.03.2025.

Mr. Sai Kumar, Learned Senior Counsel appearing on behalf of the Appellant-MSEDCL would seek similar directions to the 2nd Respondent-TPCL to furnish a bank guarantee for a sum of Rs. 209.21 Crores which was the amount paid by them to TPCL in terms of the impugned order.

Since the 2nd Respondent-TPCL had, on its own accord and voluntarily, agreed to furnish a Bank Guarantee in favour of the other procurers, during the hearing of Appeal No. 122 of 2025 and batch which culminated in an order being passed on 31.10.2025, we see no justification in the Appellant herein being denied a similar relief.

We, therefore, dispose of the present appeal in terms of the order passed by us in Appeal No. 122 of 2025 and batch dated 31.10.2025. The second Respondent shall, within two months from today furnish an

unconditional Bank Guarantee from a scheduled bank in favour of the Appellant for the aforesaid sum of Rs. 209.21 Crores.

TPCL shall also furnish a similar undertaking to the Appellant herein as was directed to be furnished by them to the other procurers in terms of the order of this Tribunal dated 31.10.2025. Needless to state that the amount so paid, the bank guarantee so furnished, and the entitlement of parties to other reliefs shall be subject to the result of the main petition pending before the CERC.

The Appeal, and the IAs therein, stand disposed of accordingly.

Ajay Talegaonkar
Technical Member (Electricity)
mk/mkj

Justice Ramesh Ranganathan
Chairperson