COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 263 OF 2024 & IA No. 918 OF 2024 & IA No. 1984 OF 2024 & IA No. 1109 OF 2024 & IA No. 1130 OF 2024 & IA No. 144 OF 2025

Dated: 18th February, 2025

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

In the matter of:

SEI Arushi Private Ltd.	....	Appellant(s)
Versus		
Andhra Pradesh Electricity Regulatory Commission & Anr.	....	Respondent(s)

Counsel on record for the Appellant(s)	:	Hemant Singh Biju Mattam Ankita Bafna Lakshyajit Singh Bagdwal Chetan Kumar Garg Supriya Rastogi Agarwal Nehul Sharma Robin Kumar Harshit Singh Lavanya Panwar Alchi Thapliyal for App. 1
Counsel on record for the Respondent(s)	:	Gaichangpou Gangmei Arjun D Singh Yashvir Kumar Nisha Pandey Maitreya Mahaley Yimyanger Longkumer for Res. 1 Udit Gupta Anup Jain Vyom Chaturvedi Pragya Gupta Nishtha Goel Sneha Singh Amarnath D. Sahoo for Res. 2

ORDER

IA NOS. 918 & 984 OF 2024
(For interim relief)

An affidavit is now filed on behalf of the 2nd Respondent suggesting that it is possible to seal the SMBs without dismantling the solar panels. The fact however, remains that the impugned order records the undertaking of the Appellant herein to dismantle the excess panels of 9.28 MWp and 5.13 MWp respectively. It is in such circumstances that the Andhra Pradesh Electricity Regulatory Commission had opined that there was no justification to continue the termination order impugned before the Commission.

Having furnished an undertaking before the Commission, and having secured an order interdicting the termination order pursuant thereto, the Appellant cannot, at the appellate stage, be permitted to resile from the said undertaking which they had earlier given to the APERC. We are, however, saved the trouble of examining this issue any further, since Mr. Hemant Singh, Learned Counsel for the Appellant, seeks liberty for the Appellant to approach the APERC seeking its permission for an order to be passed in terms of the alternative arrangement suggested by the Appellant earlier. Granting liberty, as sought for, both the IAs are dismissed as withdrawn.

IA NOS. 1109 OF 2024, 1130 OF 2024 & 114 OF 2025
(For filing additional document)

These IAs to receive additional documents are not opposed by Ms. Pragya Gupta, Learned Counsel for the 2nd Respondent, and Ms. Nisha Pandey, Learned Counsel for the 1st Respondent. The IAs are allowed and the additional documents filed by the Appellant shall be taken on record. The applications are disposed of.

APPEAL NO. 263 OF 2024

Learned Counsel, on both sides, agree that the issue involved in this appeal is short, and the Appeal be included in the ‘List of Short Matters’.

Reply shall be filed by the Respondents within six weeks and rejoinder, if any, shall be filed within four weeks' thereafter. After pleadings are complete, and after verification by the Registry, let this Appeal be included in the '**List of Short Matters**' to be taken up from there, in its turn.

Seema Gupta Technical Member (Electricity)	Justice Ramesh Ranganathan Chairperson

tpd/sk