

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 164 OF 2025 & IA No. 8 OF 2025

Dated: 3rd July, 2025

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

In the matter of:

Shree Giriraj Cotspin Private Limited Appellant(s)

Versus

Gujarat Electricity Regulatory Commission & Anr. Respondent(s)

Counsel on record for the Appellant(s) : Sakie Jakharia
for App. 1

Counsel on record for the Respondent(s) : Anand K. Ganesan
Swapna Seshadri
Ranjitha Ramachandran
Utkarsh Singh
Srishti Khindaria
Parth Bhalla
Sneha Singh Baghel
Aneesh Bajaj
for Res. 2

ORDER

Ms. Sakie Jakharia, Learned Counsel for the Appellant, would submit that the present appeal relates only to retrospective application of the tariff order dated 31.08.2024 with effect from 06.06.2022; and no other issue arises for consideration in this appeal. Learned Counsel would submit that the impugned order dated 31.08.2024 could not be given retrospective effect from 06.06.2022. The submission urged on behalf of the 2nd Respondent by Mr. Anand K. Ganesan, Learned Counsel, is that certain metering issues disabled them from giving the impugned order retrospective effect from a date prior to 01.01.2024.

Mrs. Suparna Srivastava, Learned Counsel for the GERC, would submit that, instead of adjudicating this issue, this Tribunal may, in the light of the submissions urged both on behalf of the Appellant and the 2nd Respondent, remand the matter to the GERC, giving both parties liberty to raise all such contentions, as are available to them in law on this issue, before the Commission, and leave it to the Commission to pass appropriate orders in accordance with law.

We deem it appropriate, in such circumstances, to dispose of this appeal setting aside the impugned order in so far as the impugned order was given retrospective effect from 06.06.2022. The matter is remanded to the GERC for its consideration afresh in accordance with law. Needless to state that all contentions on this issue are left open to be urged by parties on either side before the Commission, which shall, after giving both parties a reasonable opportunity of being heard, pass orders afresh, on the issue of retrospective effect, in accordance with law.

The appeal, and the I.A therein, are accordingly disposed of.

Seema Gupta
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/dk/tc