

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

OP No. 1 OF 2025 & IA No. 1403 OF 2025 & IA No. 1404 OF 2025 & IA No. 1532 OF 2025 & IA No. 1610 OF 2025 & IA No. 1747 OF 2025 & IA No. 172 OF 2026 & IA No. 173 OF 2026 & IA No. 245 OF 2026 & IA No. 309 OF 2026

Dated: 11th March, 2026

Present: Hon`ble Ms. Seema Gupta, Officiating Chairperson
Hon`ble Mr. Virender Bhat, Judicial Member

In the matter of:

In Suo-Motu action under Section 121 of the EA Petitioner(s)

Versus

Forum of Regulators & Ors. Respondent(s)

Counsel on record for the Petitioner(s) : Anushree Bardhan
Shikha Ohri
for App. 1

Counsel on record for the Respondent(s) : Poorva Saigal
Shubham Arya
Pallavi Saigal
Reeha Singh
Rishabh Saxena
Harshvardhan Singh
Shirin Gupta
for Res. 1

C.K. Rai
Shiva Singh
Anuradha Roy
Vinay Kumar Gupta
for Res. 2

C.K. Rai
for Res. 3

Anand K. Ganesan
Swapna Seshadri
Utkarsh Singh
Sneha Singh Baghel
for Res. 4

M. T. George
for Res. 5

Sahil Chandra
for Res. 6

Ravi Kishore

for Res. 7

Rutwik Panda
Anshu Malik
for Res. 8

Gargi Kumar
for Res. 9

Abiha Zaidi
for Res. 10

Pratibhanu Singh Kharola
for Res. 11

Sethu Ramalingam
S. Shivshankari
for Res. 12

Pradeep Misra
for Res. 13

C.K. Rai
Shiva Singh
Anuradha Roy
Vinay Kumar Gupta
for Res. 14

Somanadri Goud Katam
for Res. 15

Shlok Chandra
for Res. 16

Suparna Srivastava
for Res. 17

Mandakini Ghosh
for Res. 18

Gaichangpou Gangmei
Arjun D Singh
Yimyang Longkumer
Maitreya Mahaley
for Res. 19

Aishwarya Subramani
Harsha V Rao
Anand K. Ganesan
for Res. 20

Suriti Chowdhary
Anuj Bhave
Abiha Zaidi
Pritam Raman Giriya
for Res. 21

Mandakini Ghosh
for Res. 22

Anish Roy
for Res. 23

Farrukh Rasheed
for Res. 24

Rohini Prasad
for Res. 25

Sriram Krishna
Anupama Dhurve
for Res. 26

Shri Venkatesh
Suhael Buttan
Nihal Bhardwaj
Abhishek Nangia
Kartikay Trivedi
Surbhi Kapoor
Shivam Kumar
Punyam Bhutani
Nikunj Bhatnagar
Tarang Saraogi
Ananya Dutta
Shryeshth Ramesh Sharma
Kanika Chugh
Priya Dhankar
Mohit Mansharamani
Mohit Gupta
Indu Uttara
Harsh Vardhan
Vedant Choudhary
Adarsh Singh
Drishti Rathi
Ashutosh Kumar Srivastava
Akash Lamba
Siddharth Nigotia
Vineet Kumar
Manu Tiwari
Kunal Veer Chopra
Tanishka Khatana
Aashwyn Singh
Aniket Kanhaui
Manav Bhatia
for Res. 27

C.K. Rai
Anuradha Roy
Vinay Kumar Gupta
Shiva Singh
for Res. 28

Surabhi Pandey
for Res. 29

Abiha Zaidi
Suriti Chowdhary
Pritam Raman Giriya
Anuj Bhawe
for Res. 30

Vishrov Mukerjee
Janmali Gopal Rao Manikala
Nishtha Kumar
Yashaswi Kant
Pratyush Singh
Damodar Solanki
Priyanka Vyas
Juhi Senguttuvan
Anumeha Smiti
Garima Adlakha
Sai Snigdha Nittala
Snehal Upadhyay
for Res. 31

Amit Kapur
Anupam Varma
Rahul Kinra
Aditya Gupta
Aditya Ajay
Girdhar Gopal Khattar
Isnain Muzamil
Adamyia Ojha
Yash Srivastava
Vaibhav Sharma
for Res. 32

Amit Kapur
Anupam Varma
Rahul Kinra
Aditya Gupta
Aditya Ajay
Girdhar Gopal Khattar
Isnain Muzamil
Adamyia Ojha
Yash Srivastava
Vaibhav Sharma
for Res. 33

Shri Venkatesh
Shryeshth Ramesh Sharma
Kanika Chugh
Ashutosh Kumar Srivastava
Suhael Buttan
Nihal Bhardwaj
Surbhi Kapoor
Adarsh Singh
Siddharth Nigotia
Manu Tiwari
Abhishek Nangia
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Mohit Mansharamani
Akash Lamba
Shivam Kumar
Kartikay Trivedi
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Indu Uttara
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Tanishka Khatana
Nikunj Bhatnagar
Kunal Veer Chopra
Punnam Bhutani
Vedant Choudhary
Tarang Saraogi
Manav Bhatia
Drishti Rathi
for Res. 34

Shri Venkatesh
Shryeshth Ramesh Sharma
Kanika Chugh
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Suhael Buttan
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Surbhi Kapoor
Adarsh Singh
Siddharth Nigotia
Manu Tiwari
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Tanishka Khatana
Nikunj Bhatnagar
Kunal Veer Chopra
Punnam Bhutani
Vedant Choudhary
Tarang Saraogi
Manav Bhatia
Drishti Rathi
for Res. 35

Shri Venkatesh
Shryeshth Ramesh Sharma

Kanika Chugh
Ashutosh Kumar Srivastava
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Nihal Bhardwaj
Surbhi Kapoor
Adarsh Singh
Siddharth Nigotia
Manu Tiwari
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Akash Lamba
Kartikay Trivedi
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Ananya Dutta
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Nikunj Bhatnagar
Kunal Veer Chopra
Punyam Bhutani
Vedant Choudhary
Tarang Saraogi
Manav Bhatia
Drishti Rathi
for Res. 36

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Siddharth Nigotia
Manu Tiwari
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Nikunj Bhatnagar
Kunal Veer Chopra

Punyam Bhutani
Vedant Choudhary
Tarang Saraogi
Manav Bhatia
Drishti Rathi
for Res. 37

S. Vallinayagam
for Res. 38

ORDER

1. ODISHA ELECTRICITY REGULATORY COMMISSION (OERC): R-8

IA NO. 173 OF 2026
(For impleadment/ intervention)

By way of this application, the erstwhile Odisha Discoms who were operating prior to 2015 have sought for impleadment as Respondents.

Heard Mr. Buddy A. Ranganathan, Learned Senior Counsel appearing on behalf of the applicant and Mr. G. Umapathy, Learned Senior Counsel appearing on behalf of the OERC. Learned Senior Counsel appearing on behalf of the OERC submits that since the licenses of these three Discoms had been revoked in the year 2015, they have no right to seek impleadment as parties to this petition, and therefore, their application ought to be dismissed.

Learned Senior Counsel appearing on behalf of the applicant does concede that the licenses of these Discoms got revoked by the Commission, which order was upheld by this Tribunal and subsequently upheld by the Supreme Court also. However, our attention was drawn to a subsequent order passed on 05.10.2023 by the Supreme Court in Civil Appeal No. 414 of 2007 wherein the Hon'ble Supreme Court has held that the cancellation of the licenses of these Discoms will have no bearing on the tariff fixation for the years prior to 2015.

We also note that these Discoms have filed various appeals against the tariff orders passed by the OERC relating to the period prior to 2015 which are still pending disposal before this Tribunal. Therefore, the exact amount to which these Discoms are entitled to, if any, is yet to be computed, and the same would be known upon disposal of the appeals by this Tribunal.

Having said so, we are of the opinion that without formally impleading these licensees as Respondents in this petition, they should be given an opportunity to appear and assist us in arriving at a just conclusion in this petition. Therefore, these Discoms may appear and assist us on the relevant dates as and when the matter relating to OERC would come up in this petition. The application is disposed of accordingly.

List the matter pertaining to OERC on **06.04.2026**.

Virender Bhat
Judicial Member

Seema Gupta
Officiating Chairperson

tpd/dk