IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

COURT-1

APPEAL NO. 399 OF 2022 &
IA NO. 1641 OF 2022 &
IA NOS. 650 & 651 OF 2023

Dated : 03.04.2023

Present: Hon'ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon'ble Mr. Sandesh Kumar Sharma, Technical Member

In the matter of:

M/s Avaada Energy Private Limited & Anr. .... Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. .... Respondent(s)

Counsel for the Appellant(s) : Buddy A. Ranganadhan
Deepak Khurana
Amit Kumar
Shreeyanshi

Counsel for the Respondent(s) : Suparna Srivastava
Tushar Mathur
Astha Jain for R-2

Mr. Alok Mishra, Law Officer
Grid Controller of India (Grid India)

ORDER

IA NO. 1641 OF 2022
[For Interim Relief]

The urgency expressed on behalf of the Appellant is based on their apprehension that power would be regulated today itself. Elaborate submissions were put forth by learned counsel on both sides. As it was 15 minutes beyond the sitting hours of this Tribunal, by the time the submission on both side were completed, we informed learned counsel that we may not be able to pass a detailed order, considering all their submissions, today. Both Mr. Buddy A. Ranganadhan, learned Counsel for the Appellant, and Ms. Suparna Srivastava, learned Counsel for the 2nd Respondent-CTU, on instructions, expressed their agreement for an interim order, as sought for, to be passed on condition that the Appellant pays 50%, of the amount due in terms of the bill dated 09.12.2022, within two weeks from today and furnishes an unconditional bank guarantee (to be

kept valid during the pendency of this appeal) from a scheduled bank for the remaining 50% within two weeks.

We consider it appropriate, in such circumstances, to grant stay of regulation of power supply in the interregnum, subject to fulfilment of the conditions referred to herein above. Needless to state that failure to comply with the aforestated directions would enable the respondents to proceed and take such action as is permissible in law.

Mr. Alok Mishra, Law Officer of the Grid Controller of India Ltd. (Grid India) is present in court, and undertakes not to regulate power supply to the Appellant for a period of two weeks.

IA is disposed of accordingly.

APPEAL NO. 399 OF 2022&
IA NOS. 650 & 651 OF 2023

List the IA for hearing on ***24.04.2023***.

(Sandesh Kumar Sharma)
Technical Member

(Justice Ramesh Ranganathan)
Chairperson

vt/ks/dk