

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 435 of 2025 & IA No. 1701 OF 2025 & IA No. 1698 OF 2025 & IA
No. 1700 OF 2025 & IA No. 1699 OF 2025

Dated: 6th January, 2026

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

In the matter of:

SMS Life Science India Limited

.... Appellant(s)

Versus

Telangana State Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel on record for the Appellant(s) : Siddhartha Patnaik
for App. 1

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

D. Abhinav Rao
for Res. 2

ORDER

IA-1701/2025
(For leave to file Appeal)

Since the Appellant is a consumer, and is liable to make payment of cross subsidy surcharge in terms of the impugned order, they are evidently persons aggrieved entitled to file the appeal. Leave, as sought for, is granted. The applications are disposed of.

IA-1698/2025

(For condonation of delay in filing the Appeal) (527 days)

The delay has already been condoned by the Telangana High Court, and pursuant to directions of the Telangana High Court, the present appeal has been filed. In such circumstances, we see no reason to non-suit the Appellant on the ground of delay. The delay is condoned and the IA is, accordingly, disposed of.

IA-1700/2025
(For interim relief)

Mr. Siddhartha Patnaik, Learned Counsel appearing on behalf of the Appellant, would request that a similar interim order, to those passed in DFR No. 356 of 2025 and batch dated 27.11.2025, be passed in this appeal also. Following the orders passed by us earlier in DFR No. 356 of 2025 and batch dated 27.11.2025, whereby interim stay as sought for was granted on the condition that the Appellant pays 50% of the differential principal amount towards cross subsidy surcharge along with 50% of the interest from the date of the impugned order till the date of actual payment, there shall be a similar interim order in the present appeal also.

The Respondent-Discoms shall compute the interest/ surcharge component, payable in terms of the order now passed by us, and intimate the Appellants of their liability in this regard. The Appellants shall pay the principal amount within four weeks from today, and the interest/surcharge component within four weeks from the date of intimation by the Respondents of the amount payable by them.

Failure on the part of the Appellants to comply with this order within the time frame stipulated hereinabove, will result in automatic vacation of the said order, and it would then be open to the Respondent-Discoms to

enforce the impugned order passed by the Commission in accordance with law.

The IA is, accordingly, disposed of.

IA-1699/2025

(For exemption from filing certified copy of impugned order)

Mr. Siddhartha Patnaik, Learned Counsel for the Appellant, undertakes to file the certified copy of the impugned order within four weeks. Recording his submission, the IA is closed.

DFR-435/2025

Reply shall be filed within six weeks and rejoinder shall be filed within four weeks thereafter.

After pleadings are complete, Registry to verify and then include the appeal in the List of Finals, to be taken up from there in its turn.

Ajay Talegaonkar
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

mk/mg