

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 447 of 2025 & IA No. 1745 OF 2025 & IA No. 1744 OF 2025 &
IA No. 1743 OF 2025

Dated: 19th January, 2026

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

In the matter of:

Karnataka Power Transmission Corporation Limited Appellant(s)
Versus
Karnataka Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : Sumana Naganand
Garima Jain
Tushar Kanti Mohindroo
Nidhi Gupta
Arnav Khanna
Vismaya Simha
for App. 1

Counsel on record for the Respondent(s) :
for Res. 1
Hemant Sahai
Nitish Gupta
Molshree Bhatnagar
Shubhi Sharma
Tushar Srivastava
Nipun Sharma
Rishabh Sehgal
Shaida Das
Varnika Tyagi
Kamya Sharma
Shambhavi Jha
Karthik Sivadas
Manav Saluja
Nishant G
Vandana Ragwani

ORDER

IA-1745/2025
(For Urgent Listing)

The matter listed before us, having served its purpose, stands disposed of.

IA-1743/2025
(For condonation of delay in filing the Appeal) (110 days)

The delay as computed by the Registry is of 110 days. Mr. Dhruv Mehta, Learned Senior Counsel appearing on behalf of the Appellant, would submit that the Applicant-Appellant had approached the Karnataka High Court challenging the validity of the impugned order; in its order in WP No. 20683 of 2025 dated 28.10.2025, while taking note of the fact that the Appellant has an alternate remedy of filing an appeal, the Karnataka High Court granted the Petitioner (Appellant) two weeks' time from the date of receipt of the certified copy of the order to file an appeal, and observed that the Petitioner was entitled to seek exclusion of time under Section 14 of the Limitation Act in accordance with law; a certified copy of the order of the Karnataka High Court was received by them on 10.11.2025 and the present appeal came to be filed on 19.11.2025 well within the two weeks' time granted by the Karnataka High Court.

In the light of the order of the Karnataka High Court, we see no reason to non-suit the Appellant on the ground of delay. In any event Mr. Hemant Sahai, Learned Counsel for the second Respondent, expresses no objection. The delay is condoned, and the IA is disposed of.

IA-1744/2025
(For interim relief)

Mr. Dhruv Mehta, Learned Senior Counsel appearing on behalf of the Appellant, would draw our attention to the interim order of the Supreme Court in Civil Appeal No. 3458 dated 2025 dated 07.03.2025 (Appeal filed by the Appellant herein), and request that an interim order be passed in terms of the aforesaid order of the Supreme Court. In the afore-said order, the Supreme Court granted stay of operation of the impugned judgment subject to the Appellant paying 25% of the amount, in terms of the impugned judgment, to the 2nd Respondent therein, and directed the 2nd Respondent therein to issue a Bank Guarantee. A period of four weeks was stipulated for making payment.

Mr. Hemant Sahai, Learned Counsel for the 2nd Respondent, expresses his consent for a similar interim order to be passed. Learned Counsel would further state that the format of the Bank Guarantee, which the 2nd Respondent is required to furnish, has also been approved, in the present case, by the Appellant.

There shall be an interim order of stay of operation of the impugned judgment on condition that the Appellant pays 25% of the amount in terms of the impugned judgment to the 2nd Respondent within four weeks from today. The 2nd Respondent shall furnish a Bank Guarantee for the said amount within two weeks from today. Needless to state that the amount as directed to be paid by this order, and the Bank Guarantee to be furnished by the 2nd Respondent, shall both be subject to the result of the main appeal.

The interim order of the Supreme Court directing 25% payment also covers the earlier order of the Commission ie direction (i) in the order passed in OP No. 20 of 2019 dated 14.09.2021. Consequently, in terms of the said interim order of the Supreme Court, the Appellant would be required to pay the 2nd Respondent 25% of the amount payable in terms of the directions in Para 13(a) and (d) of the impugned order in OP No. 7 of 2024 dated 17.06.2025. The said payment shall be made by the Appellant within four weeks, on the 2nd Respondent furnishing a Bank Guarantee for the said amount within two weeks. The IA is, accordingly, disposed of.

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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 Short Matters, to be taken up from there for hearing along with Appeal No. 158 of 2024, in its turn.

Ajay Talegaonkar
Technical Member (Electricity)

mk/mkj

Justice Ramesh Ranganathan
Chairperson