

COURT-2

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 394 OF 2025 & IA No. 1919 OF 2025 & IA No. 1918 OF 2025 & IA
No. 1917 OF 2025

Dated: 22nd December, 2025

Present : Hon`ble Ms. Seema Gupta, Technical Member (Electricity)
Hon`ble Mr. Virender Bhat, Judicial Member

In the matter of:

Adani Power Limited

.... Appellant(s)

Versus

Chhattisgarh State Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel on record for the Appellant(s) : Amit Kapur
Akshat Jain
Anant Singh
Avdesh Mandloi
Shikhar Verma
Sayan Ghosh
for App. 1

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

ORDER

Heard Mr. Amit Kapur, learned counsel for the appellant and Mr. Abhinav Kardekar, learned counsel appearing on behalf of the 2nd respondent.

It is the submission of the learned counsel for the appellant that despite the appellant having filed reply online and having also submitted hard copy of

the reply one day before, the contents of the reply have neither been mentioned in the order nor have been considered therein by the Commission. It is also submitted that the submissions made by the appellant before the Commission have also been ignored while passing the impugned order dated 16.12.2025. It is his submission that despite there being no urgency, as the trigger date being 31.12.2025 the commission has proceeded to stay the recovery of invoice no.APLRPR/CSPDCL/Ash/Reim/161025 dated 16.10.2025 and posted the matter for further hearing on 23.12.2025.

The submissions on behalf of the appellant have been vehemently opposed by the learned counsel appearing on behalf of the 2nd respondent. He has submitted that the Commission has considered the submissions on behalf of both the parties and has gone by the relevant regulations while passing of the impugned order.

We have considered the submission of both the learned counsels and have perused the impugned order as well as material on record.

Bare perusal of the impugned order would reveal that objections on behalf of the appellant and submissions made by its counsel before the Commission have neither been noted nor considered while passing the impugned order. The impugned order cannot be sustained on this very score. We also find that the Commission has proceeded in undue haste while staying the recovery of invoice dated 16.10.2025 and posted the matter for further hearing on 23.12.2025. When the matter was, in any event, to be adjourned to 23.12.2025, where was the occasion for passing an interim order on 16.12.2025 without waiting for the formal reply of the appellant. The

Commission has faltered in passing the interim order without taking in record the formal reply filed by the appellant. It ought to have desisted from passing any order on 16.12.2025 and could have conveniently heard and disposed off the interim application on 23.12.2025.

On this very score, we set aside the impugned order of the Commission and direct the Commission to hear the matter afresh tomorrow i.e. 23.12.2025, when the matter is already listed for hearing before the Commission, and pass a reasoned order. Needless to state the Commission shall pass the order upon considering the submissions of both the parties and the relevant regulations.

Nothing further survives in the appeal. The instant appeal, along with pending applications, stands disposed off.

Dasti order is permitted.

Virender Bhat
Judicial Member

Seema Gupta
Technical Member (Electricity)

Pr/tp