IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

COURT I

IA No. 2035 of 2022 in Appeal No. 439 of 2022 &
IA Nos. 2034 & 2131 of 2022

Dated : 02.01.2023

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

In the matter of:

Jindal Steel and Power Ltd. .... Appellant(s)

Vs.

Chhattisgarh State Electricity Regulatory Commission & Anr. .... Respondent(s)

Counsel for the Appellant(s) : Mr. Sanjay Sen, Sr. Adv.
Mr. Gopal Jain, Sr. Adv.
Mr. Hemant Singh
Mr. Chetan Garg
Ms. Alchi Thapliyal

Counsel for the Respondent(s) : Ms. Swapna Seshadri
Mr. Anand K. Ganesan
Ms. Kriti Soni for R-1

Mr. Vishrov Mukerjee
Mr. Damodar Solanki for R-2

ORDER

The Order of this Tribunal dated 06.05.2022 required CSERC to obtain data from the *State Load Desptach Center* (SLDC) in determining the actual surplus power available with the Appellant for supply to the consumers, as also the pattern of supply. The order under appeal does not reflect the CSERC having obtained information in this regard from the SLDC.

Ms. Swapna Seshadri, Learned Counsel for the CSERC, has placed certain documents before us (which are not referred to in the order under Appeal) in support of her submission that the SLDC does not have the 15 minutes daily data available with it, and consequently the Commission had perforce to go by the monthly data furnished by the Appellant to the Chief Electrical Inspector. These facts, which are

not part of the record, can be brought to the notice of this Tribunal only by way of an affidavit to be filed by the Secretary to the Commission.

Ms. Swapna Seshadri, Learned Counsel, requests a weeks' time to do so. She is permitted to file the affidavit before the next date of hearing.

List the matter on next Monday i.e. ***09.01.2023.***

(Sandesh Kumar Sharma)
Technical Member

(Justice Ramesh Ranganathan)
Chairperson

mk/mkj/vt