

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. 920/2020

IN

CIVIL APPEAL No. 11435/2018

TELANGANA POWER GENERATION CORPORATION LTD (TSGENCO) Petitioner(s)

VERSUS

ANDHRA PRADESH POWER GENERATION  
CORPORATION LTD & ORS.

Respondent(s)

WITH

Diary No(s). 11057/2020

O R D E R

Miscellaneous Application No(s). 920/2020

We have heard Mr. V. Giri, learned senior counsel appearing for the applicant. The applicant has prayed for clarification of the order dated 08.04.2020 passed in M.A. No. 915/2020 in M.A. No. 60/2020 in Civil Appeal No. 11435/2018.

Mr. V. Giri, learned senior counsel submits that 584 employees, with regard to which interim order has been passed by this Court, are not part of the total number which were to be allocated. He submits that the objections already filed by Telangana Power Utilities have not yet been considered and the applicant cannot continue to discharge the financial liability for months together. In the last para of the order dated 08.04.2020, it has been observed as under:

"We further clarify that the interim protection is being issued today shall not prejudice any of the rights of Telangana Power Utilities to press their objections with regard to 584 employees which they have already represented to Justice D.M. Dharmadhikari. This order shall not preclude the objections to be considered in accordance with law by One Man Committee and this direction shall be subject to any final decision taken by One Man Committee by any specific report."

The above observation apply protects the interest of the applicant. The objections with regard to 584 employees were to be considered by Justice D.M. Dharmadhikari (Retd.) - One Man Committee. It is open for the applicant to request One Member Committee to take up the objection and take a decision on an early date after hearing all affected persons. We only observe that the objections of the applicant as well as of all other claimants with regard to 584 employees including any objection by Andhra Pradesh Power Utilities shall also be considered. We do not find justification for issuing any clarification or passing any further order.

The miscellaneous application is closed with the above observation.

Diary No(s). 11057/2020

We have already passed an order on 08.04.2020 on an application submitted by One Member Committee. The application for clarification of order dated 08.04.2020 filed by Telangana Power Generation Corporation has been disposed of by a separate order of the date. Learned counsel appearing for Telangana Power Generation

Corporation submits that the Corporation was awaiting the order of this Court on the clarification application which has been considered today. Steps shall be taken to make the payment of salary and compliance of the order within a period of one week.

In view of the above, no further order is required. The parties are to act as per order dated 08.04.2020.

The miscellaneous application stands disposed of.

Pending applications stand disposed of.

.....J.  
[ASHOK BHUSHAN]

.....J.  
[SANJIV KHANNA]

NEW DELHI;  
MAY 1, 2020

ITEM NO.1

Virtual Court 1

SECTION XII-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Miscellaneous Application No(s). 920/2020 in C.A. No. 11435/2018

TELANGANA POWER GENERATION CORPORATION LTD (TSGENCO) Petitioner(s)

VERSUS

ANDHRA PRADESH POWER GENERATION CORPORATION LTD & ORS.Respondent(s)  
(FOR IA No.48365/2020-CLARIFICATION/DIRECTION and IA No.48463/2020-  
PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No(s). 11057/2020 (XII-A)

(IA No. 48453/2020 - APPLICATION FOR PERMISSION, IA No. 48456/2020  
- CLARIFICATION/DIRECTION, IA No. 48455/2020 - EXEMPTION FROM  
PAYING COURT FEE, IA No. 48457/2020 - EXEMPTION FROM PAYING COURT  
FEE and IA No. 48454/2020 - INTERVENTION/IMPLEADMENT)

Date : 01-05-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Parties Mr. V. Giri, Sr. Adv.  
Mr. D. Abhinav Rao, AOR  
  
Mr. N.K. Kaul, Sr. Adv.  
  
Mr. R.K. Sharma, Adv.  
  
Mr. Vikramjit Banerjee, ASG  
  
Mr. R. Balasubramanium, Sr. Adv.  
  
Mr. A. Tewari, Adv.  
  
Mr. Puneet Jain, Adv.  
  
Mr. Venkateswara Rao Anumolu, AOR  
  
Mr. Ravi Shankar J., Adv.

UPON hearing the counsel the Court made the following

O R D E R

Miscellaneous Application No(s). 920/2020

This Court is convened through video conferencing.

The miscellaneous application is closed in terms of the signed order. Pending application stands disposed of.

Diary No(s). 11057/2020

The misc. application stands disposed of in terms of the signed order.

Pending applications stand disposed of.

(MEENAKSHI KOHLI)  
AR-CUM-PS

(PRADEEP KUMAR)  
COURT MASTER

[Signed order is placed on the file]