

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).1501 OF 2005

M.P.STATE ELECTRICITY BD.

Appellant(s)

VERSUS

BHILAI POWER SUPPLY CO. LTD.

Respondent(s)

WITH C.A. NO.4817 OF 2017 @ SLP(C)NO.5249/2005
& CIVIL APPEAL NOS.1144-1147 OF 2000

O R D E R

1. Heard the learned counsel for the parties.
2. Leave granted in Special Leave Petition.
3. The question in the instant cases has been settled by the earlier decisions of this Court as well as the Notification issued by the Government of India, Ministry of Power apportioning assets, rights and liabilities of Madhya Pradesh State Electricity Board (MPEB) between successor Boards of Madhya Pradesh and Chhattisgarh i.e. MPSEB and CSEB.
4. The liability of the Bhilai Power Supply Co. Ltd. Of 55.32 crores had been saddled upon the Chhattisgarh State Electricity Board (CSEB). The allocation of liabilities between MPSEB and CSEB made by Central Government is filed along with I.A No. 7 of 2008 which fact is not disputed at Bar.
4. It is stated that the principle amount has been paid. The interest remains to be paid. As such, the outstanding

amount is required to be paid by CSEB to Bhilai Power Supply Co. Ltd.

5. The amount shall be paid by CSEB to Respondent No. 1 within three months. The amount of Rs. 17.44 crores deposited in this Court is permitted to be withdrawn.

6. It is submitted by MPSEB that under interim order passed by this Court on 2.5.2006, a sum of Rs. 27.66 crores had been paid by MPSEB to Bhilai Power Supply Co. Ltd. That amount is required to be paid by CSEB to MBSEB as it has been held to be liability of CSEB. Accordingly, CSEB shall pay the aforesaid amount to MPSEB within the period of 3 months.

7. The appeals stands disposed of, accordingly.

8. Applications are also, disposed of.

.....J
(ARUN MISHRA)

.....J
(S.ABDUL NAZEER)

New Delhi;
MARCH 28, 2017

ITEM NO.106

COURT NO.12

SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).1501/2005

M.P.STATE ELECTRICITY BD. THRU SECTY

Appellant(s)

VERSUS

BHILAI POWER SUPPLY CO. LTD.

Respondent(s)

(with appln. (s) for directions and permission for withdrawal of amount and directions and permission for withdrawal of amount and office report)

WITH

SLP(C) No. 5249/2005

C.A. Nos. 1144-1147/2000

Date : 28/03/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE S. ABDUL NAZEER

For the appearing Mr. Dharmendra Kumar Sinha, Adv.
Parties: Mr. Rajesh Srivastava, Adv.

Mr. Bharat Sangal, Adv.
Mr. Vernika Tomar, Adv.
Ms. Vidushi Garg, Adv.
Mr. Bharat Sangal, Adv.
Mr. Sakesh Kumar, Adv.
Mr. Karunakar Mahalik, Adv.
Mr. Dharmendra Kumar Sinha, Adv.
Mr. Rajesh Srivastava, Adv.
Mr. Dharmendra Kumar Sinha, Adv.
Mr. Manoj Swarup, Adv.
Mr. Pramod Dayal, Adv.
M/s Suresh A. Shroff & Co., Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted in special leave petition.

The appeals are disposed of in terms of the signed order.

(B.Parvathi)
Court Master

(Tapan Kr. Chakraborty)
Court Master

(Signed order is placed on the file)