

ITEM NO.102

COURT NO.2

SECTION XVII

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

Civil Appeal No(s). 4801/2018

INDIAN WIND POWER ASSOCIATION (NRC)

Appellant(s)

VERSUS

CENTRAL ELECTRICITY REGULATORY COMMISSION
(CERC) & ANR.

Respondent(s)

IA No. 75028/2022 - INTERVENTION APPLICATION

IA No. 60148/2019 - INTERVENTION/IMPLEADMENT

IA No. 5956/2020 - INTERVENTION/IMPLEADMENT

WITH

Diary No(s). 8683/2019 (XVII)

IA No. 43435/2019 - PERMISSION TO FILE APPEAL

IA NO.43437/2019- CONDONATION OF DELAY

C.A. No. 7873/2021 (XVII)

(IA No.168793/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.168791/2021-STAY APPLICATION and IA No.168794/2021-PERMISSION TO FILE LENGTHY LIST OF DATES)

Diary No(s). 8961/2019 (XVII)

IA No. 47704/2019 - PERMISSION TO FILE APPEAL

IA NO.47707/2019- CONDONATION OF DELAY

Diary No(s). 6135/2019 (XVII)

IA No. 42704/2019 - PERMISSION TO FILE APPEAL

IAN NO.42705/2019- CONDONATION OF DELAY

C.A. No. 3966/2019 (XVII)

C.A. No. 4281/2019 (XVII)

C.A. No. 5161/2019 (XVII)

C.A. No. 246/2022 (XVII)

(IA No.3692/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.3695/2022-STAY APPLICATION)

C.A. No. 2527/2019 (XVII)

C.A. No. 2008/2019 (XVII)

Diary No(s). 3485/2019 (XVII)

IA No. 23721/2019 - PERMISSION TO FILE APPEAL

IA NO.23725/20189-CONDONATION OF DELAY

Diary No(s). 3710/2019 (XVII)

IA NO.22256/2019-CONDONATION OF DELAY

IA No. 22259/2019 - PERMISSION TO FILE APPEAL

C.A. No. 2007/2019 (XVII)

Diary No(s). 3392/2019 (XVII)

IA No. 24015/2019 - PERMISSION TO FILE APPEAL

IA NO.24017/2019-CONDONATION OF DELAY

Diary No(s). 3478/2019 (XVII)

IA No. 23946/2019 - PERMISSION TO FILE APPEAL

Diary No(s). 45274/2018 (XVII)

FOR PERMISSION TO FILE APPEAL ON IA 2807/2019

FOR CONDONATION OF DELAY IN FILING ON IA 2808/2019

Diary No(s). 22737/2018 (XVII)

FOR CONDONATION OF DELAY IN FILING ON IA 102836/2018

FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 102837/2018

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 102838/2018

FOR INTERVENTION APPLICATION ON IA 15723/2019

FOR INTERVENTION APPLICATION ON IA 15729/2019

FOR INTERVENTION APPLICATION ON IA 39092/2019

FOR INTERVENTION APPLICATION ON IA 55256/2020

C.A. No. 4939/2018 (XVII)

FOR STAY APPLICATION ON IA 69968/2018

Date : 16-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE ABHAY S. OKA

For Parties

Mr. Buddy Ranganadhan, Adv.

Mr. K. R. Sasiprabhu, AOR

Mr. Amey Nabar, Adv.

Mr. Vishnu Sharma A. S., Adv.

Mr. Prakhar Agarwal, Adv.

Mr. Parinay Deep Shah, Adv.

Mr. Annam Venkatesh, AOR

Mr. Vishal Gupta, AOR

Ms. Debolina Roy, Adv.

Mr. Anupam Chaudhary, Adv.

Mr. Sajjan Poovayya, Sr. Adv.

Mr. Shri Venkatesh, Adv.

Ms. Kanika Chugh, Adv.

Mr. Bharath Gangadharan, Adv.

Mr. Nihal Bharadwaj, Adv.

Mr. Nitin Saluja, AOR

Ms. Poonam Verma, Adv.

Mr. Sanuak Rajguru, Adv.
Mr. Sidharth Sethi, AOR

Ms. Madhurima Tatia, AOR

Mr. Pankaj Singh, Adv.
Mr. Seshatalpa Sai Bandaru, AOR

Mr. Saurabh Mishra, AOR
Mr. Aditya Mishra, Adv.
Ms. Priya Kaushik, Adv.

Ms. Shipra Ghose, AOR

Mr. Gopal Jain, Sr. Adv.
Mr. Hemant Singh, Adv.
Mr. Lakshya, Adv.
Ms. Lavanya Panwar, Adv.
Mr. Hasan Murtaza, AOR

Mr. Mansoor Ali S., Adv.
Mr. Nitin Kala, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Konal singh, Adv.
Mr. Karun Shrama, Adv.
Mr. Wahengham Immanuel Meitei, Adv.
Mr. Malcom Desai, Adv.
Mr. Samikrith Rao, Adv.
Mohd. Immanuel Meitei, Adv.

Mr. M. P. Devanath, AOR

Mr. Lakshmi Raman Singh, AOR

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

Permission to file Civil Appeals is granted.

Delay condoned.

Application for permission to file c/c of the
impugned order is allowed.

Admit the appeals.

Issue notice.

Notice is accepted by learned counsel for the
respondents.

Mr. Nitin Saluja and Mr. Shri Venkatesh, learned counsel who are on record will coordinate to make available convenience compilation of the parties jointly.

It is stated that two orders of the Appellate Tribunal for Electricity (APTEL) are in question and it is the plea that they are contradictory in nature. That would, in our view, imply that while one set of parties may be supporting one order, they may be opposing the other order. In our view, this should facilitate filing of the two synopsis, one for the eligible entities and the other for the obligated entities, each for both points of view, in five pages each.

Learned counsel for parties state that for both eligible and obligated entities, two hours each may be set down for hearing.

Before we set down the appeals for hearing, the house keeping task must be completed.

At request of learned counsel for parties, list on 17.1.2023 for directions in Miscellaneous matters to ensure that the house keeping task is complete.

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FOR INTERVENTION APPLICATION ON IA 15729/2019
FOR INTERVENTION APPLICATION ON IA 39092/2019
FOR INTERVENTION APPLICATION ON IA 55256/2020

On hearing learned counsel for parties, we make

it clear that such of the parties who were interventionists before the Appellate Tribunal will be permitted to be treated at par in the present proceedings also as interventionists.

The applications stand disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)