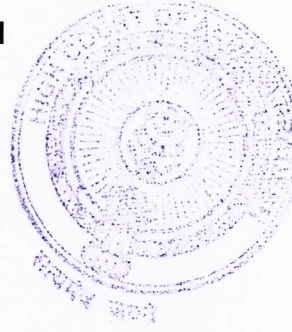


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE A V SESA SAI



WRIT PETITION NO: 2862 OF 2021

Between:

Aeolus Wind Parks Private Limited, having its registered office at Plot No. 1202, 1215A, Door No. 8-2-293/82/A/1202, S.L. Jubilee, Road No.61, Jubilee Hills, Hyderabad – 500033, Represented by its Authorized Representative, Suresh Babu Gudikandula.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Energy (Infrastructure and Investment) Department, A.P. Secretariat, Velagapudi, Amaravati, Andhra Pradesh.
2. Southern Power Distribution Company of Andhra Pradesh Ltd., Represented by its Chairman and Managing Director and Chief General Manager, Office at 19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati.
3. Superintending Engineer, Operations, APSPDCL, Kadapa.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly in the nature of Mandamu - declaring the Notice dated 29.01.2021 issued by the 3rd Respondent directing the Petitioner to make a payment of Rs.80,32,510/-to the 2<sup>nd</sup> Respondent towards electricity charges in respect of HT Service SCNO. CDP.638, M/s Aeolus Wind Parks Pvt. Ltd., Kandimallayapalli (V), B.Mattam (M), Kadapa (D) as illegal, arbitrary, unfair and unconstitutional and set aside the same and direct the Respondents not to take any coercive measures for recovery of the electricity charges payable by the Petitioner to the 2nd Respondent in respect of HT Service SCNO. CDP.638, M/s Aeolus Wind Parks Pvt. Ltd., Kandimallayapalli (V), B.Mattam (M), Kadapa (D) further direct the 2<sup>nd</sup> Respondent to adjust and deduct the payments to be made by the Petitioner to the 2<sup>nd</sup> Respondent towards electricity charges for consumption of import power through the HT Service SCNO. CDP.638 from out of the dues payable by the 2<sup>nd</sup> Respondent to the Petitioner towards purchase of export power under the Power Purchase Agreement dated 16.09.2016 entered into between the Petitioner and the 2<sup>nd</sup> Respondent.

**IA NO: 2 OF 2021**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings pursuant to Notice dated 29.01.2021 issued by the 3<sup>rd</sup> Respondent in respect of HT Service SCNO. CDP.638, M/s Aeolus Wind Parks Pvt. Ltd., Kandimallayapalli (V), B.Mattam (M), Kadapa (D), pending disposal of WP No.2862 of 2021, on the file of the High Court.

**IA NO: 1 OF 2021**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to restrain the Respondents from taking any coercive action against the Petitioner in respect of HT Service SCNO. CDP.638, M/s Aeolus Wind Parks Pvt. Ltd., Kandimallayapalli (V), 13.Mattam (M), Kadapa (D), pending disposal of WP No. 2862 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the orders of the High court dt; 05.02.2021 and upon hearing the arguments of Sri VIVEK CHANDRA SEKHAR S Advocate for the Petitioner, and Sri. Y. Nagi Reddy Standing Counsel for Respondents Nos 2 & 3 and G.P. for Energy for Respondent No.1 the Court made the following.

**ORDER:**

**At request, post after two weeks.**

**Interim order, granted earlier, is extended by four weeks.**

**Sd/- B.CHITTI JOSEPH  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**For ASSISTANT REGISTRAR**

**To,**

1. One CC to Sri. Vivek Chandra Sekhar S Advocate [OPUC]
2. One CC to Sri Y.Nagi Reddy, Standing Counsel [OPUC]
3. Two CCs to GP for Energy, High Court of Andhra Pradesh. [OUT]
4. One spare copy.

nbr





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