

(REVISED FOR APPEARANCE)

ITEM NO.1501

COURT NO.3

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). 8527-8529/2009

**M/S DAKSHIN GUJARAT VIJ COMPANY LIMITED
 THROUGH ADDITIONAL CHIEF ENGINEER
 (COMMERCE AND REGULATORY)**

APPELLANT(S)**VERSUS**

M/S GAYATRI SHAKTI PAPER AND BOARD LTD & ANR. ETC. RESPONDENT(S)
(IA No. 26531/2023 - INTERVENTION APPLICATION)

WITH**C.A. No. 4611-4624/2022 (XVII)****(IA No. 88469/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 88467/2022 - STAY APPLICATION)****C.A. No. 4532-4556/2022 (XVII)****(IA No. 84514/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 84513/2022 - STAY APPLICATION)****C.A. No. 4571/2022 (XVII)****(IA No. 118039/2022 - AMENDMENT IN CAUSE TITLE****IA No. 85341/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 118045/2022 - STAY APPLICATION****IA No. 85342/2022 - STAY APPLICATION)****Diary No(s). 10378/2022 (XVII)****(IA No. 108859/2022 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS****IA No. 108861/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 108862/2022 - STAY APPLICATION)****C.A. No. 3662/2022 (XVII)****(IA No. 14181/2023 - EARLY HEARING APPLICATION****IA No. 61292/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT****IA No. 61291/2022 - STAY APPLICATION)****C.A. No. 4233/2022 (XVII)****(IA No. 78984/2022 - EX-PARTE STAY****IA No. 78985/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

C.A. No. 8738/2022 (XVII)

(IA No.162178/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.162177/2022-STAY APPLICATION and IA No.162176/2022-CONDONATION OF DELAY IN FILING APPEAL)

C.A. No. 1-2/2010 (XVII)

(FOR INTERVENTION APPLICATION ON IA 5/2011
FOR EX-PARTE STAY ON IA 1/2010
FOR ON IA 66807/2010
FOR ON IA 51725/2011
FOR ON IA 70213/2011

C.A. No. 1693-1698/2010 (XVII)

(FOR [PERMISSION TO FILE ANNEXURES] ON IA 13/2011
FOR ON IA 7263/2011
FOR ON IA 27582/2011
IA No. 13/2011 - PERMISSION TO FILE ANNEXURES)

C.A. No. 12282/2016 (XVII)**C.A. No. 1142/2022 (XVII)**

(IA No. 127335/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 127333/2021 - STAY APPLICATION)

C.A. No. 1141/2022 (XVII)

(IA No. 123553/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 123551/2021 - STAY APPLICATION)

Date : 09-10-2023 These matters were called on for pronouncement of Judgment today.

For Appellant(s) Mr. K. V. Mohan, AOR

Mr. Sajan Poovayya, Sr. Adv.
Ms. Dipali Sarvaiya Sheth, Adv.
Mr. Nikunj Dayal, AOR
Ms. Raksha Agrawal, Adv.
Mr. Shubham Mehta, Adv.

Mr. Sanjay Sen, Sr. Adv.
Mr. Rohit Singha, Adv.
Ms. Tatini Basu, AOR
Mr. Kumar Shashank, Adv.
Ms. Nitipriya Kar, Adv.

Ms. Shraddha Deshmukh, Adv.
Ms. Supriya Juneja, AOR

M/S. D. S. K Legal, AOR
 Mr. G. Saikumar, Adv.
 Mr. Samir Malik, Adv.
 Ms. Nikita Choukse, Adv.
 Mr. Akash Lamba, Adv.
 Mr. Krishan Kumar, Adv.

Mr. G. umapathy, Sr. Adv.
 Mr. Rohit K. Singh, AOR
 Mr. Vijay Kumar, Adv.

Mr. Mr. Basava Prabhu S.patil, Sr. Adv.
 Mr. Basava Prabhu S.patil, Sr. Adv.
 Ms. Ishita Jain, AOR
 Mr. Sudhir Nandrajog, Sr. Adv.
 Mr. Anand Kumar Shrivastava, Adv.
 Mr. Shivam Sinha, Adv.
 Mr. Ankit Bhandari, Adv.
 Mr. Geet Rajan Ahuja, Adv.

Mr. C. A. Sundaram, Sr. Adv.
 Ms. Sharmila Upadhyay, AOR
 Mr. Matrugu Gupta Mishra, Adv.
 Mr. Nipun Dave, Adv.
 Ms. Rohini Musa, Adv.
 Mr. Zafar Inayat, Adv.

Mr. Mohit D. Ram, AOR
 Ms. Sapna Chauhan, Adv.
 Mr. Bhagirath N.patel, Adv.
 Mr. Anubhav Sharma, Adv.

For Respondent(s) Mr. Nikunj Dayal, AOR

Mr. Sanjeev Kapoor, Adv.
 Ms. Divya Chaturvedi, Adv.
 Mr. Saransh Shaw, Adv.
 M/S. Khaitan & Co., AOR

Mr. B. Krishna Prasad, AOR

Mr. Nakul Dewan , Sr., Adv.
 Mr. Pradhuman Gohil, Adv.
 Ms. Taruna Singh Gohil, Adv.
 Ms. Ranu Purohit, Adv.
 Mr. Alapati Sahithya Krishna, Adv.
 Ms. Nidhi Mittal, Adv.
 Mr. Rushabh N. Kapadia, Adv.
 Mrs. Taruna Singh Gohil, AOR

M/S. D.S. K. Legal, AOR

Mr. Samir Malik, AOR

Mr. Hasan Murtaza, AOR

Mr. K. V. Mohan, AOR

Ms. Amita Singh Kalkal, AOR

Ms. Hemantika Wahi, AOR

Mr. M. Y. Deshmukh, AOR

Ms. Manjeet Kirpal, Adv.

Ms. Adviteeya Sharma, Adv.

Mr. D. Kumanan, AOR

Mr. Sheikh F Kalia, Adv.

Mr. Rajeev Maheshwaranand Roy, AOR

Mr. P. Srinivasan, Adv.

Mr. Gunjan Kumar, Adv.

Mr. Senthil Jagadeesan, AOR

Mr. Sajal Jain, Adv.

Ms. Sonakshi Malhan, Adv.

Ms. Ishita Jain, AOR

Mr. Anand Kumar Shrivastava, Adv.

Mr. Shivam Sinha, Adv.

Mr. Shivam Sinha, Adv.

Mr. Ankit Bhandari, Adv.

Ms. Arunima Dwivedi, AOR

Mr. Gurmeet Singh Makker, AOR

Mr. Anand Shankar Jha, AOR

Mrs. Meenakshi Devgan, Adv.

Mr. Sachin Mintri, Adv.

Mr. T. Sundar Ramanathan, AOR

Mr. Vivek Pandey, Adv.

Mr. D Balaji, Adv.

Mr. Krishan Singhal, Adv.

Mr. Abhinav Mukerji, AOR

Mr. Senthil Jagadeesan, AOR

Mr. Sajal Jain, Adv.

Ms. Sonakshi Malhan, Adv.

Mr. Sanjeev Kapoor, Adv.
Ms. Divya Chaturvedi, Adv.
Mr. Saransh Shaw, Adv.
M/S. Khaitan & Co., AOR

Mr. Nikunj Dayal, AOR
Mr Hasan Murtaza, AOR

Mr. V.S. Pillai, Sr. Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. R.L.K. Sundram, Adv.
Mr. S.S. Stalian, Adv.
Mr. V. J. Stlani, Adv.
Mr. Vinodh Kanna B., AOR

Hon'ble Mr. Justice Sanjiv Khanna pronounced the judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice M.M. Sundresh.

The interpretation of the relevant provisions of the Electricity Act, 2003 and Rule 3 of the Electricity Rules, 2005 is elucidated in the signed reportable judgment.

The matters now be listed for hearing and disposal before the appropriate Bench in the month of December 2023.

(BABITA PANDEY)
COURT MASTER (SH)

(Signed reportable judgment is placed on the file)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

ITEM NO.1501

COURT NO.3

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). 8527-8529/2009

**M/S DAKSHIN GUJARAT VIJ COMPANY LIMITED
 THROUGH ADDITIONAL CHIEF ENGINEER
 (COMMERCE AND REGULATORY)**

APPELLANT(S)**VERSUS**

M/S GAYATRI SHAKTI PAPER AND BOARD LTD & ANR. ETC. RESPONDENT(S)

(IA No. 26531/2023 - INTERVENTION APPLICATION)

WITH**C.A. No. 4611-4624/2022 (XVII)**

**(IA No. 88469/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT**

IA No. 88467/2022 - STAY APPLICATION)

C.A. No. 4532-4556/2022 (XVII)

**(IA No. 84514/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT**

IA No. 84513/2022 - STAY APPLICATION)

C.A. No. 4571/2022 (XVII)

(IA No. 118039/2022 - AMENDMENT IN CAUSE TITLE

**IA No. 85341/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT**

IA No. 118045/2022 - STAY APPLICATION

IA No. 85342/2022 - STAY APPLICATION)

Diary No(s). 10378/2022 (XVII)

**(IA No. 108859/2022 - CONDONATION OF DELAY IN REFILING / CURING
 THE DEFECTS**

**IA No. 108861/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT**

IA No. 108862/2022 - STAY APPLICATION)

C.A. No. 3662/2022 (XVII)

(IA No. 14181/2023 - EARLY HEARING APPLICATION

**IA No. 61292/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT**

IA No. 61291/2022 - STAY APPLICATION)

C.A. No. 4233/2022 (XVII)

(IA No. 78984/2022 - EX-PARTE STAY

**IA No. 78985/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT)**

C.A. No. 8738/2022 (XVII)

(IA No.162178/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.162177/2022-STAY APPLICATION and IA No.162176/2022-CONDONATION OF DELAY IN FILING APPEAL)

C.A. No. 1-2/2010 (XVII)

(FOR INTERVENTION APPLICATION ON IA 5/2011
FOR EX-PARTE STAY ON IA 1/2010
FOR ON IA 66807/2010
FOR ON IA 51725/2011
FOR ON IA 70213/2011

C.A. No. 1693-1698/2010 (XVII)

(FOR [PERMISSION TO FILE ANNEXURES] ON IA 13/2011
FOR ON IA 7263/2011
FOR ON IA 27582/2011
IA No. 13/2011 - PERMISSION TO FILE ANNEXURES)

C.A. No. 12282/2016 (XVII)**C.A. No. 1142/2022 (XVII)**

(IA No. 127335/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 127333/2021 - STAY APPLICATION)

C.A. No. 1141/2022 (XVII)

(IA No. 123553/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 123551/2021 - STAY APPLICATION)

Date : 09-10-2023 These matters were called on for pronouncement of Judgment today.

For Appellant(s)

Mr. K. V. Mohan, AOR
Mr. Nikunj Dayal, AOR

Mr. Sanjay Sen, Sr. Adv.
Mr. Rohit Singha, Adv.
Ms. Tatini Basu, AOR
Mr. Kumar Shashank, Adv.
Ms. Nitipriya Kar, Adv.

Ms. Shraddha Deshmukh, Adv.
Ms. Supriya Juneja, AOR

M/S. D. S. K Legal, AOR
Mr. G. Saikumar, Adv.
Mr. Samir Malik, Adv.
Ms. Nikita Choukse, Adv.
Mr. Akash Lamba, Adv.

Mr. Krishan Kumar, Adv.

Mr. G. umapathy, Sr. Adv.

Mr. Rohit K. Singh, AOR

Mr. Vijay Kumar, Adv.

Mr. Mr. Basava Prabhu S.patil, Sr. Adv.

Mr. Basava Prabhu S.patil, Sr. Adv.

Ms. Ishita Jain, AOR

Mr. Sudhir Nandrajog, Sr. Adv.

Mr. Anand Kumar Shrivastava, Adv.

Mr. Shivam Sinha, Adv.

Mr. Ankit Bhandari, Adv.

Mr. Geet Rajan Ahuja, Adv.

Mr. C. A. Sundaram, Sr. Adv.

Ms. Sharmila Upadhyay, AOR

Mr. Matrugupta Mishra, Adv.

Mr. Nipun Dave, Adv.

Ms. Rohini Musa, Adv.

Mr. Zafar Inayat, Adv.

Mr. Mohit D. Ram, AOR

Ms. Sapna Chauhan, Adv.

Mr. Bhagirath N.patel, Adv.

Mr. Anubhav Sharma, Adv.

For Respondent(s) Mr. Nikunj Dayal, AOR

Mr. Sanjeev Kapoor, Adv.

Ms. Divya Chaturvedi, Adv.

Mr. Saransh Shaw, Adv.

M/S. Khaitan & Co., AOR

Mr. B. Krishna Prasad, AOR

Mr. Nakul Dewan , Sr., Adv.

Mr. Pradhuman Gohil, Adv.

Ms. Taruna Singh Gohil, Adv.

Ms. Ranu Purohit, Adv.

Mr. Alapati Sahithya Krishna, Adv.

Ms. Nidhi Mittal, Adv.

Mr. Rushabh N. Kapadia, Adv.

Mrs. Taruna Singh Gohil, AOR

M/S. D.S. K. Legal, AOR

Mr. Samir Malik, AOR

Mr. Hasan Murtaza, AOR

Mr. K. V. Mohan, AOR

Ms. Amita Singh Kalkal, AOR

Ms. Hemantika Wahi, AOR

Mr. M. Y. Deshmukh, AOR

Ms. Manjeet Kirpal, Adv.

Ms. Adviteeya Sharma, Adv.

Mr. D. Kumanan, AOR

Mr. Sheikh F Kalia, Adv.

Mr. Rajeev Maheshwaranand Roy, AOR

Mr. P. Srinivasan, Adv.

Mr. Gunjan Kumar, Adv.

Mr. Senthil Jagadeesan, AOR

Mr. Sajal Jain, Adv.

Ms. Sonakshi Malhan, Adv.

Ms. Ishita Jain, AOR

Mr. Anand Kumar Shrivastava, Adv.

Mr. Shivam Sinha, Adv.

Mr. Shivam Sinha, Adv.

Mr. Ankit Bhandari, Adv.

Ms. Arunima Dwivedi, AOR

Mr. Gurmeet Singh Makker, AOR

Mr. Anand Shankar Jha, AOR

Mrs. Meenakshi Devgan, Adv.

Mr. Sachin Mintri, Adv.

Mr. T. Sundar Ramanathan, AOR

Mr. Vivek Pandey, Adv.

Mr. D Balaji, Adv.

Mr. Krishan Singhal, Adv.

Mr. Abhinav Mukerji, AOR

Mr. Senthil Jagadeesan, AOR

Mr. Sajal Jain, Adv.

Ms. Sonakshi Malhan, Adv.

Mr. Sanjeev Kapoor, Adv.

Ms. Divya Chaturvedi, Adv.

Mr. Saransh Shaw, Adv.

M/S. Khaitan & Co., AOR

Mr. Nikunj Dayal, AOR

Mr Hasan Murtaza, AOR

**Mr. V.S. Pillai, Sr. Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. R.L.K. Sundram, Adv.
Mr. S.S. Stalian, Adv.
Mr. V. J. Stlani, Adv.
Mr. Vinodh Kanna B., AOR**

Hon'ble Mr. Justice Sanjiv Khanna pronounced the judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice M.M. Sundresh.

The interpretation of the relevant provisions of the Electricity Act, 2003 and Rule 3 of the Electricity Rules, 2005 is elucidated in the signed reportable judgment.

The matters now be listed for hearing and disposal before the appropriate Bench in the month of December 2023.

**(BABITA PANDEY)
COURT MASTER (SH)**

(Signed reportable judgment is placed on the file)

**(R.S. NARAYANAN)
ASSISTANT REGISTRAR**