ITEM NO.10   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

<u>CIVIL APPEAL NO(S). 7794/2024</u>

JAIPRAKASH POWER VENTURE LIMITED   Appellant(s)

VERSUS

MADHYA PRADESH ELECTRICITY REGULATORY
COMMISSION & ORS.   Respondent(s)

(FOR ADMISSION)

Date : 29-07-2024 This appeal was called on for hearing today.

CORAM :
        HON'BLE MR. JUSTICE SANJIV KHANNA
        HON'BLE MR. JUSTICE SANJAY KUMAR

For Appellant(s)   Mr. C A Sundaram, Sr. Adv.
                      Mr. Sakya Singha Chaudhuri, AOR
                      Ms. Astha Sharma, Adv.
                      Mr. C.a. Sundaram, Sr. Adv.
                      Ms. Ritika Singhal, Adv.
                      Ms. Aparna Tiwari, Adv.

For Respondent(s)   Ms. Sanya Sud, AOR

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

    On the oral prayer made by the learned counsel appearing for

the appellant, Jaiprakash Power Venture Limited, we deem it

appropriate to implead the Madhya Pradesh State Mining Corporation

Limited[1] and the State of Madhya Pradesh as respondent Nos. 6 and 7

respectively in the present appeal. This direction is subject to

all just exceptions. The Memo of Parties to be amended accordingly.

    Issue notice, returnable in the week commencing 09.12.2024.

    Mr. Sanya Sud, the learned counsel, who is present in Court,

1 "MPSMCL", for short

waives service and accepts notice on behalf of respondent No.2, M.P. Power Management Co. Ltd. Hence, notice need not be served on the said respondent.

Notices to unrepresented respondents will be served by all modes, including *dasti.*

Counter affidavit/reply, if any, will be filed within four weeks from today.

Rejoinder affidavit, if any, may be filed within four weeks after service of the counter affidavit/reply.

It is submitted on behalf of the appellant, that the appellant, Jaiprakash Power Venture Limited, is not engaged in the business of coal mining. In view of the fact that the exercise undertaken by the MPSMCL is a Government of Madhya Pradesh undertaking, in view the reasoning of the Tribunal, the appellant, Jaiprakash Power Venture Limited, would not be liable.

<table>
<tr><td>(BABITA PANDEY)</td><td>(R.S. NARAYANAN)</td></tr>
<tr><td>COURT MASTER (SH)</td><td>ASSISTANT REGISTRAR</td></tr>
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