

SECTION XVII

MATTER FOR :
COURT NO.
ITEM NO.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5399-5400 OF 2016

WITH

INTERLOCUTORY APPLICATION NOS. 1-2, 3-4 AND 5-6 OF 2016

(Application for permission to file additional documents, application for stay and application for exemption from filing certified copy of the Impugned Order)

AND

CIVIL APPEAL NO. 5347 OF 2016

WITH

INTERLOCUTORY APPLICATION NOS. 1,2 AND 3 & 4 OF 2016

(Application for exemption from filing certified copy of the Impugned Order, application for directions and applications for permission to file additional documents).

AND

CIVIL APPEAL NO. 5348 OF 2016

WITH

INTERLOCUTORY APPLICATION NOS. 1, 2 AND 3 OF 2016

(Application for directions and applications for permission to file additional documents)

AND

CIVIL APPEAL NO. 5346 OF 2016

WITH

INTERLOCUTORY APPLICATION NOS. 1, 2 AND 3 OF 2016

(Application for exemption from filing certified copy of the Impugned Order, application for directions and application for permission to file additional documents).

AND

CIVIL APPEAL NO. 5364 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 1 OF 2016

(Application for ad-interim Ex-Party Stay)

AND

CIVIL APPEAL NOS. 5351-5352 OF 2016

WITH

INTERLOCUTORY APPLICATION NOS. 1-2 AND 3-4 OF 2016

(Application for exemption from filing certified copy of the Impugned Order and application for stay).

AND

CIVIL APPEAL NO. 5415 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 1 OF 2016

(Application for Stay)

Energy Watchdog Etc.

...Appellants

VERSUS

Central Electricity Regulatory
Commission & Ors.

...Respondents

OFFICE REPORT

Instant appeals have been filed under Section 125 of the Electricity Act, 2003 against the Judgment and Order dated 07.04.2016 of the Appellate Tribunal for Electricity at New Delhi in Appeal Nos.124 & 125 of 2014, Appeal No.133 of 2014, Appeal No.134 of 2014, Appeal No.91 of 2014, Appeal No.100 of 2014, Appeal No.139 of 2014 & I.A. No. 238 of 2014 and Appeal No. 74 of 2014 respectively.

CIVIL APPEAL NOS. 5399-5400 OF 2016

It is submitted that Civil Appeal No. 7466 of 2014 referred to on Annexure P-8 was disposed of by the Hon'ble Court on 25.08.2014.(Copy of the Signed Order dated 25.08.2014 is enclosed herewith).

It is further submitted that Civil Appeal No. 10016 of 2014 referred to on Annexure p-9 was disposed of by the Hon'ble Court on 31.03.2015.(Judgment reported in 2015(12) SCC 216, 2015(4) SCALE 376).

It is further submitted that M/s Pukharambam Ramesh Kumar and Sidharth Sethi, Advocates have filed caveat on behalf of Central Electricity Regulatory Commission (R-1) and Adani Power Limited (R-2) respectively.

CIVIL APPEAL NO. 5347 OF 2016

It is submitted that Mr. K.V. Mohan, Counsel for Appellant has on 05.07.2016 filed an application for permission to file additional documents with volume-IV as per his undertaking letter dated 14.06.2016 and on 12.07.2016 filed an application for permission to file additional documents with volume-V & VI. The same have been registered as Interlocutory Application Nos.3 and 4 of 2016 respectively.(Copy of the undertaking letter dated 14.06.2016 is included in Appeal Paper Books at page No.674 and separate volumes of applications are placed with Appeal Paper Books).

It is submitted that Mr. Pukhraram Ramesh Kumar, Advocate has filed caveat on behalf of Coastal Gujarat Power Limited. (R-2).

CIVIL APPEAL NO. 5348 OF 2016

It is submitted that Mr. K.V. Mohan, Counsel for the Appellant has on 05.07.2016 filed an application for permission to file additional documents with volume-IV as per his undertaking letter dated 14.06.2016 and on 11.07.2016 filed an application for permission to file additional documents with volume-IV and volume-V. The same have been registered as Interlocutory Application Nos.2 and 3 of 2016 respectively.(Copy of the undertaking letter dated 14.06.2016 is included in Appeal Paper Books at page No.671 and separate volumes of applications are placed with Appeal Paper Books).

It is further submitted that Mr. E.C. Agrawala, Advocate has filed caveat on behalf of Adani Power Limited (R-2).

CIVIL APPEAL NO. 5346 OF 2016

It is submitted that Civil Appeal No. 9035 of 2014 arising out of similar issue is pending before the Hon'ble Court and was listed before the Hon'ble Court on 23.09.2014 when the Court was pleased to issue notice. (Copy of the Record of Proceedings dated 23.09.2014 is enclosed herewith).

It is further submitted that Civil Appeal No. 10016 of 2014 referred to on Page C of list of dates was disposed of by the Hon'ble Court on 31.03.2015.(Judgment reported in 2015(12) SCC 216, 2015(4) SCALE 376).

It is submitted that Mr. K.V. Mohan, Counsel for Appellant has on 05.07.2016 filed an application for permission to file additional documents along with volume-IV as per his undertaking letter dated 14.06.2016.The same has been registered as Interlocutory Application No. 3 of 2016.(Copy of the undertaking letter dated 14.06.2016 is included in Appeal Paper Books at page No.684 and separate volumes of application are placed with Appeal Paper Books).

It is further submitted that M/s Mr. Pukharambam Ramesh Kumar and Anup Jain, Advocates have filed caveat on behalf of Coastal Gujarat Power Limited(R-2) and Maharashtra State Electricity Distribution Company Limited (R-4) respectively.

CIVIL APPEAL NO. 5364 OF 2016

It is submitted that Mr. Pukharambam Ramesh Kumar, Advocate has filed caveat on behalf of Coastal Gujarat Power Limited. (R-1).

CIVIL APPEAL NOS. 5351-5352 OF 2016

It is submitted that Civil Appeal No. 9035 of 2014 arising out of similar issue referred to on Page Q of list of dates is pending before the Hon'ble Court and was listed before the Hon'ble Court on 23.09.2014 when the Court was pleased to issue notice. (Copy of the record of Proceedings dated 23.09.2014 is enclosed herewith).

It is submitted that Mr. Pukharambam Ramesh Kumar, Advocate has filed caveat on behalf of Coastal Gujarat Power Limited. (R-2).

CIVIL APPEAL NO. 5415 OF 2016

It is submitted that Mr. Pukharambam Ramesh Kumar, Advocate has filed caveat on behalf of GMR Kamalanga Energy Limited(R-1).

It is submitted that Civil Appeal Nos. 5347, 5348, 5346, 5364, 5351-5352, 5415 of 2016 and the instant matter above-mentioned all are arising out of Common Order.

The matters above-mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 14TH DAY OF JULY, 2016.

ASSISTANT REGISTRAR

Copy to : Mr. Pranav Sachdeva, Advocate
Mr. K.V. Mohan, Advocate
Mr. Anup Jain, Advocate
Mr. Nikunj Dayal, Advocate
Mr. Raj Kumar Mehta, Advocate
Mr. Pukharambam Ramesh Kumar, Advocate
Mr. Prashant Bhushan, Advocate
Mr. E.C. Agrawala, Advocate

Mr. Sidharth Sethi, Advocate

ASSISTANT REGISTRAR