

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**Civil Appeal No _____ of 2023
[Diary No 32980/2022]**

Gulbarga Electricity Supply Company Limited

Appellant

Versus

**Tavalgeri Solar Power Project LL.P. and Others
Respondents**

WITH

**Civil Appeal No _____ of 2023
[Diary No 33053/2022]**

**Civil Appeal No _____ of 2023
[Diary No 33572/2022]**

O R D E R

- 1 There is a delay of 134, 107 and 141 days in filing the appeals under Section 125 of the Electricity Act 2003.
- 2 In view of the decision of this Court in ***Chhattisgarh State Electricity Board vs Central Electricity Regulatory Commission and Others*** [(2010 5 SCC 23)], the appeals are barred by time.

- 3 The Civil Appeals are dismissed on the ground of limitation.
- 4 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Pamidighantam Sri Narasimha]

New Delhi;
January 9, 2023
CKB

R E V I S E D

ITEM NO.19

COURT NO.1

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 Diary No.32980/2022

(Arising out of impugned final judgment and order dated 31-03-2022 in AN No.39/2019 passed by the Appellate Tribunal for Electricity at New Delhi)

GULBARGA ELECTRICITY SUPPLY COMPANY LIMITED

Appellant(s)

VERSUS

TAVALGERI SOLAR POWER PROJECT LLP & ORS.

Respondent(s)

(With IA No.178333/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.178332/2022-STAY APPLICATION and IA No.178331/2022-CONDONATION OF DELAY IN FILING APPEAL)

WITH Diary No(s). 33053/2022 (XVII)

(With IA No.189031/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.189030/2022-STAY APPLICATION and IA No.189028/2022-CONDONATION OF DELAY IN FILING APPEAL and IA No.189029/2022-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)
Diary No.33572/2022 (XVII)

(Withg IA No.188921/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.188919/2022-STAY APPLICATION and IA No.188917/2022-CONDONATION OF DELAY IN FILING APPEAL and IA No.188918/2022-CONDONATION OF DELAY IN REFILING/ CURING THE DEFECTS)

Date : 09-01-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. K.V. Vishwanathan, Sr. Adv. (*)
Mr. S. Vallinayagam, Adv.
Mr. Sivagnaman Karthikeyan, Adv.
Mr. Akhil Nambiar, Adv.
Mr. Yashraj Singh Bundela, AOR

For Respondent(s) Mr. Basava Prabhu Patil, Sr. Adv.
Ms. Priyashree Sharma Ph, Adv.
Mr. Syed Faraz Alam, Adv.
Mr. Atharva Gaur, Adv.
Ms. Prerna Priyadarshini, AOR

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

- 1 The Civil Appeals are dismissed in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar

(Signed order is placed on the file)

Note: Revised for updating the names of counsel(*)

ITEM NO.19

COURT NO.1

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RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No.32980/2022

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