

ITEM NO.20

COURT NO.13

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). 8175/2022

PUNJAB STATE POWER CORPORATION LIMITED

Appellant(s)

VERSUS

CENTRAL ELECTRICITY REGULATORY COMMISSION & ORS. Respondent(s)

(IA No.167492/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT and IA No.167493/2022-EX-PARTE STAY)

WITH
C.A. No. 8136/2022 (XVII)

(IA No.167100/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT and IA No.167101/2022-EX-PARTE STAY)

Date : 14-11-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
 HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Appellant(s) Mr. K.V. Viswanathan, Sr. Adv.
 Mr. M.G. Ramachandran, Sr, Adv.
 Ms. Poorva Saigal, Adv.
 Mr. Nikunj Dayal, AOR
 Mr. Shubham Arya, Adv.
 Mr. Ravi Nair, Adv.
 Ms. Srishti Khindaria, Adv.
 Mr. Aneesh Bajaj, Adv.

For Respondent(s) Dr. A.M. Singhvi, Sr. Adv.
 Mr. Sajan Poovayya, Sr. Adv.
 Mr. Hemant Sahai, Adv.
 Mr. Shreshth Sharma, Adv.
 Mr. Pukhrambam Ramesh Kumar, AOR
 Ms. Neel Rahate, Adv.
 Mr. Karun Sharma, Adv.
 Mr. Wahengbam Immanuel Meitei, Adv.

Mr. Anand Ganesan, Adv. (R-5,6 and 7)
 Ms. Jesal Wahi, AOR
 Mr. Amal Nair, Adv.
 Mr. Sugandh Khanna, Adv.

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

1. Issue notice to the respondent(s).
2. The counsel for respondent no.2 has entered caveat. Hence, service of notice with respect to the respondent no.2 is waived off. Let notice be issued to the other remaining respondent(s).
3. In the meanwhile, having taken note of the order impugned, to balance equities, we find it appropriate to grant stay of the order impugned herein, subject to the condition that the appellant(s) shall deposit 50% of the fixed charges before the Commission. The said amount shall be kept in an interest bearing deposit in a Nationalized Bank for a period of six months and shall be renewed from time to time until further orders. The interest accrued on the amount, would enure to the benefit of the succeeding parties.
4. The pendency of this petition shall not be an impediment for the Commission to either dispose of the matter, which has been heard and reserved on the same subject matter or for the Tribunal to consider the appeal, which is the subject matter of these matters on its merits and in accordance with law. All contentions of the parties in that regard are left open.
5. Since, the learned senior counsel for the appellant(s) submits that a portion of the amount has been deposited by them before the High Court of Punjab and Haryana at Chandigarh, the appellant(s) are granted liberty to withdraw and deposit the same before the Commission in compliance of this Order.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)
ASSISTANT REGISTRAR