

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL**

**Sub:In the matter of directions by Hon'ble APTEL vide order dated 12.04.2019  
in Appeal No. 107 of 2018 in respect of Review petition no. 21 of 2017**

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**Daily Order**

(Hearing through Video Conferencing)

Date of Motion hearing: 05.10.2021

Date of order: **06.10.2021**

**M/s S D Bansal Iron and Steel Private Limited, Bhopal :Petitioner**

Vs.

**1. M. P. Power Management Co. Ltd. (MPPMCL)**

**:Respondents**

**2. M.P. Madhya Kshetra Vidyut Vitaran Co. Ltd.**

*And*

**3. M/s Venus Alloys Pvt. Ltd, Mandasaur**

**: Interveners**

**4. M/s Rathi Iron & Steel Industries ,Indore**

Shri Ayush Bajpai, Advocate appeared on behalf of the Petitioner. Shri Manoj Dubey, Advocate and Shri V.D. Joglekar, GM appeared on behalf of Respondents. Shri S.M. Jain and Shri Deepak Saraf appeared on behalf of interveners.

- 1 Pursuant to Hon'ble APTEL's order dated 12.04.2019 in Appeal no. 107, the Commission had issued notices to petitioners, respondents and interveners to attend the hearing on 28.05.2019 for deliberations. Subsequently, in pursuance to the Commission's daily order dated 31.05.2019, the applicants M/s Venus Alloys Pvt. Ltd., Mandasaur and M/s Rathi Iron & Steel Industries, Indore had made their submission with requisite fee in accordance with the provisions of the Regulations for enlisting them as Interveners in the instant case which was accepted by the Commission.
- 2 Subsequently, the Commission held hearings on the matter. At the hearing held on 03.09.19 it was observed that the petitioner had not appeared before the Commission for third consecutive proceedings. At this hearing representatives from the respondents & the interveners had requested the Commission for further adjournment stating that they have preferred an

appeal before the Hon'ble Supreme Court, against the Hon'ble APTEL's aforesaid order. The Commission vide daily order dated 05.09.2019 had accepted the request made by the respondents and interveners in the matter and decided to keep the matter in abeyance till it is decided by the Hon'ble Supreme Court.

- 3 While reviewing the status of petitions, the Commission has observed that the subject petition is pending for more than 2 years since the matter is subjudice before the Hon'ble Supreme Court. It has further been observed that according to information available with the Commission no stay has been granted by the Hon'ble Supreme Court on proceedings of this case before this Commission. Therefore, the Commission decided to hear the matter remanded by Hon'ble APTEL and the next date for hearing was fixed on 05/10/2021. At the hearing held on 05/10/2021, the Counsels for Respondents have reiterated their request for adjournment of proceedings of the Commission citing the reason that matter is under consideration before the Apex Court. The Commission further enquired from petitioner whether any specific directions/instructions have been issued by Hon'ble Supreme Court in said Civil appeal. In response, the Counsel for petitioner requested the Commission for short adjournment to enable him to furnish the desired details on proceedings in said Civil Appeal.
- 4 Representatives of interveners requested the Commission to reschedule the hearing as their Counsel could not appear due to preoccupation.
- 5 Having heard the submissions made by the parties, the Commission directed the parties to file their written submissions within two weeks so as to further proceed in the matter. The parties were specifically asked to furnish latest status in the matter (Civil appeal) before the hon'ble Supreme Court. The case is listed for hearing on 09.11.2021.

**(Shashi Bhushan Pathak)**

**Member (Law)**

**(Mukul Dhariwal)**

**Member**

**(S.P.S. Parihar)**

**Chairman**