

Sub : In the matter of adjudication of disputes between MP Power Trading Co. Ltd. and M/s Karamchand Thapar & Bros (C.S.) Ltd.

DAILY-ORDER

**(Date of hearing: 9th April, 2013)
(Date of daily-order: 9th April, 2013)**

M.P.Power Management Co. Ltd., - Petitioner
Shakti Bhawan, Rampur, Jabalpur.
(Erstwhile MP Tradeco.)

V/s

M/s Karamchand Thapar & Bros (C.S.) Ltd. - Respondent
“Thapar House”, 25, Brabourne Road,
Kolkata – 700001.

Shri Manoj Dubey, Advisor (Law) appeared on behalf of the petitioner.

Shri M.K.Shah, Advocate and Shri Rakesh Mishra, Advocate appeared on behalf of the respondent.

2. The petitioner filed a petition for adjudication of dispute with the respondent for payment of compensation for non off-take of power during the period from 16.07.2009 to 30.09.2009 in terms of the LoI issued by the petitioner.

3. The Commission passed an order dated 21.02.2012 giving a finding against the respondent. The respondent filed an appeal before the Hon'ble APTEL challenging the impugned order dated 21.02.2012. By order dated 11.10.2012 the appeal was dismissed by Hon'ble APTEL. The respondent filed a review petition before the Hon'ble APTEL which was disposed of vide order dated 08.02.2013. The respondent filed an appeal before the Hon'ble Supreme Court challenging the order of the Hon'ble APTEL. By order dated 01.04.2013, Hon'ble Supreme Court directed that there shall be stay of further proceedings in the petition pending before the Commission.

4. In view of the above, the Commission directs that the matter be kept pending till the disposal of the aforesaid appeal by the Hon'ble Supreme Court. The Commission directs the respondent to inform the Commission about the outcome of his appeal in the Hon'ble Supreme Court for suitable action thereafter at the level of the Commission.

(Alok Gupta)
Member

(A.B.Bajpai)
Member

(Rakesh Sahni)
Chairman