

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION  
BHOPAL**

**Sub: In the matter of seeking deferment of consequential order arising out of judgement of Appellate Tribunal for Electricity in Appeal No. 258 of 2012 till disposal of Civil Appeal No. 7094/2011 by the Hon'ble Supreme Court.**

**Petition No. 13/2014**

**ORDER**

**(Date of Hearing: 23<sup>rd</sup> August, 2016)**

**(Date of Order: 26<sup>th</sup> August, 2016)**

**Government of Madhya Pradesh, Energy Department**

**Petitioner**

**V/s**

- 1. M.P. Poorv Kshetra Vidyut Vitaran Co. Ltd., Jabalpur**
- 2. M.P. Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal**
- 3. M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd., Indore**

**Respondents**

Shri P.K. Chaturvedi, Deputy Secretary (Energy) appeared on behalf of the petitioner.

Shri Praveen Kumar Jain, DGM (TRAC) appeared on behalf of M.P. Poorv Kshetra Vidyut Vitaran Co. Ltd., Jabalpur.

Shri Pavan Kumar Jain, ASE, and Shri Lokendra Malviya, appeared on behalf of M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd., Indore.

Shri Himanshu Saxena (AO), appeared on behalf of M.P. Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal

Government of Madhya Pradesh, Energy Department filed the subject petition seeking deferment of the consequential order on the judgement passed by the Hon'ble Appellate Tribunal for Electricity on 29<sup>th</sup> May' 2014 in Appeal No. 258 of 2012 till disposal of Civil Appeal No. 7094/2011 filed by the petitioner with the Hon'ble Supreme Court.

2. During the last hearing held on 26<sup>th</sup> August' 2014, the Commission noted that no purpose would be served by undertaking partial compliance of the order of the Hon'ble Appellate Tribunal dated 29<sup>th</sup> May' 2014 and that it would be desirable to await further orders of the Hon'ble Supreme Court in this matter. Accordingly, the matter was time being deferred by the Commission. It was mentioned that the next date of hearing shall be fixed after the Hon'ble Supreme Court has taken a view in the matter.

**Sub: In the matter of seeking deferment of issue of consequential order arising out of judgement of Appellate Tribunal for Electricity in Appeal No. 258 of 2012 till disposal of Civil Appeal No. 7094/2011 by the Hon'ble Supreme Court.**

3. Hon,ble Supreme Court vide its order dated 29<sup>th</sup> September' 2015 has dismissed the Civil Appeal No. 7094/2014 filed by Government of Madhya Pradesh, Energy Department and Civil Appeal No. 4851 of 2011.

4. During the course of hearing held on 23<sup>rd</sup> August' 2016, the representative appeared on behalf of the petitioner (Government of Madhya Pradesh, Energy Department) by affidavit dated 22<sup>nd</sup> August' 2016 submitted that the Hon,ble Supreme Court has passed final order in Civil Appeal No. 7094/ 2011, the subject petition filed by the petitioner has become infructuous.

5. In view of the above, the subject petition is disposed of. The consequential order on the judgment pronounced by Hon'ble Appellate Tribunal for Electricity on 29<sup>th</sup> May' 2014 in Appeal No. 258 of 2012 shall now be issued by the Commission.

**(Alok Gupta)**  
**Member**

**(A. B. Bajpai)**  
**Member**

**(Dr. Dev Raj Birdi)**  
**Chairman**