

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Dated : 27th November, 2012

Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member

APPEAL No. 239 of 2012 &
I.A. No. 386 of 2012

Amausi Industries Association & Ors. Appellant (s)

Versus

Uttar Pradesh Electricity Regulatory Commission & Ors. ...Respondent (s)

Appeal No. 240 of 2012 &
IA No. 387 of 2012

Chamber of Industries Gorakhpur & Ors. Appellant (s)

Versus

Uttar Pradesh Electricity Regulatory Commission & Ors. ...Respondent (s)

Appeal No. 241 of 2012 &
IA No. 388 of 2012

Rania of Industries Association & Ors. Appellant (s)

Versus

Uttar Pradesh Electricity Regulatory Commission & Ors. ...Respondent (s)

Appeal No. 242 of 2012 &
IA No. 389 of 2012

Association of Steel Rolling Mills & Furnaces & Ors. Appellant (s)

Versus

Uttar Pradesh Electricity Regulatory Commission & Ors. ...Respondent (s)

Appeal No. 243 of 2012 &
IA No. 390 of 2012

Association of Steel Rolling Mills & Furnaces & Ors. Appellant (s)
Versus
Uttar Pradesh Electricity Regulatory Commission
& Ors. ...Respondent (s)

Counsel for the Appellant(s): Ms. Swapna Seshadri

Counsel for the Respondent(s): Mr. Pradeep Misra
Mr. Daleep Kr. Dhayani
for R.2 & 3

ORDER

(ON BEING MENTIONED)

On being mentioned, the matter is taken up.

After hearing the learned counsel for the Appellant and the Respondent, we make it clear that the Order passed on 26.11.2012 will be applicable only to the Appellants' category **LMV 6 & HV 2**; and if any payment has been made by some consumers in the meantime, the same shall be subject to the outcome of the Appeal.

We further make it clear that the Order passed on 26.11.2012 will not apply to Appeal No. 242 of 2012.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vs

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Hon'ble Mr. Rakesh Nath, Technical Member

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Versus
Uttar Pradesh Electricity Regulatory Commission
& Ors. ...Respondent (s)

Counsel for the Appellant(s): Ms. Swapna Seshadri

Counsel for the Respondent(s): Mr. Sanjay Singh for R.1
Mr. Pradeep Misra
Mr. Manoj Kr. Sharma for R.2 & 3

ORDER

I.A. Nos. 386, 387, 388, 389 & 390 of 2012
(Applications for stay)

We have heard the learned counsel for the parties.

The learned counsel for the Appellant seeks stay of the operation of the impugned Order or requests us to pass an Order to the effect that no coercive steps shall be taken.

However, after hearing the learned counsel for the parties, we deem it appropriate to direct that pending disposal of the Appeal the impugned Order dated 19.10.2012 will become effective from 01.11.2012 as per the Regulation 139 of the UPERC Conduct of Regulations.

With these observations, the I.A. is disposed of.

APPEAL Nos. 239, 240, 241, 242 & 243 of 2012

The learned counsel for the Respondent is directed to file the reply to the main Appeal on or before 12.12.2012 after serving copy on the other side.

The learned counsel for the Appellant is directed to file the Written Submissions on or before 14.12.2012 after serving copy on the other side.

Post the matters for final disposal on **19.12.2012.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vs