

**COURT - I**

**Before the Appellate Tribunal for Electricity  
( Appellate Jurisdiction )**

**APPEAL No. 188 of 2011 &  
I.A. Nos. 281, 282 & 294 of 2011**

**Dated: 12<sup>th</sup> December, 2011**

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. V.J. Talwar, Technical Member**

**Lanco Budhil Hydro Power Pvt. Ltd. ... Appellant(s)**

**Versus**

**Haryana Electricity Regulatory Commission & Ors. ....Respondent(s)**

Counsel for the Appellant(s): Mr. Akhil Sibal, Mr. Adit S. Pujari &  
Mr. Salim A. Inamdar

Counsel for the Respondent(s): Mr. Parag Tripathy, Sr. Adv. with  
Mr. Abhishek Mitra, Mr. Varun Pathak &  
Mr. Shadan Farasat for PTC India  
Mr. M.G. Ramachadnran,  
Mr. Apoorve Karal & Mr. Ravi &  
Mr. U.K. Aggarwal for R.2

**ORDER**

**Admit.** Mr. Parag Tripathy, the learned Senior counsel takes notice on behalf of PTC and Mr. Apoorve Karal, the learned counsel takes notice on behalf of Respondent No.2. Issue notice to the other Respondents returnable on 05.01.2012. Dasti service is permitted.

With regard to the interim Application, the learned counsel for the Appellant insists for the stay of the proceedings as the

matter has been posted before the Commission on 20.12.2011 for hearing on the merits.

But Mr. Parag Tripathy, the learned Senior Counsel appearing for PTC and Mr. M.G. Ramachandran, the learned counsel appearing for Power Generation have opposed this prayer vehemently contending that there is nexus between the parties which attracts the jurisdiction of the Commission as laid down by this Tribunal in the Judgment rendered on 04.11.2011.

However, we wanted to decide this issue at the time of final disposal. Since the issue in this Appeal relates to the jurisdiction alone, we feel it appropriate to fix an early date for final disposal.

The learned counsel for the Respondents are directed to file their respective replies on or before 24.12.2012 after serving copy on the other side. Post the matter for final hearing on **05.01.2012**. In the mean time, proceedings pending before the Commission may go on, but the Commission may not pronounce the final Orders in the said proceedings.

**( V.J. Talwar )**  
**Technical Member**

**(Justice M. KarpagaVinayagam )**  
**Chairperson**

TS/SS