

Haryana Vidhyut Prasaran Nigam Ltd. - Appellants @HASH Haryana Electricity Regulatory Commission and Another

Court: SUPREME COURT OF INDIA

Date of Decision: Dec. 14, 2016

Acts Referred: Electricity Act, 2003 - Section 63

Citation: (2017) 1 Scale 512

Hon'ble Judges: Kurian Joseph and Rohinton Fali Nariman, JJ.

Bench: Division Bench

Advocate: Dr. Aniruddha Rajput, Yashraj Bundela, Karunakar Mahalik, Advocates, for the Appellants; Dr. A. M. Singhvi, Sr. Adv., Mahesh Agarwal, Rishi Agrawala, Sunil Kumar Mittal, Manu Sahni, Abhinav Agrawal, Rishabh Parikh, Vikrant Pachnanda, E.C. Agrawala, Advocates, for the Respondents

Final Decision: Disposed Of

Judgement

Kurian, J. - Delay condoned.

2. It is seen that the APTEL has left the issue regarding impact on tariff under Section 63 of the Electricity Act, 2003 to be decided by the Arbitral

Tribunal.

3. We make it clear that the Tribunal will take an independent decision, uninfluenced by any of the observations and findings in the impugned

Judgment.

4. The Arbitral Tribunal is directed to decide the impact on tariff as a preliminary issue.

5. In view of the above, the appeal is disposed of.

6. No costs.