

(2016) 12 SC CK 0064

SUPREME COURT OF INDIA

Case No: Civil Appeal No. 12324 of 2016 (@Civil Appeal D. No. 32409 of 2016).

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

APPELLANT

Vs

RESPONDENT

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.