

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE No: WRIT PETITION No. 6688 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER		OFFICE NOTE.
12.	07.07.2026	<u>RC,J</u> Sri Avinash Desai, learned senior counsel, representing Sri D.Satya Siva Darshan, learned counsel for the petitioner, contended that the National Highway Authority of India (NHAI) does not have the power to force shutdown the petitioner's electricity generating plant and consent of the petitioner is mandatory before shifting or increasing the height of the electricity transmission towers and unless the compensation is paid upfront to the petitioner for the loss to be caused owing to the shutdown, the petitioner will not be able to give its consent. He further contended that the NHAI vide its letter dated 09.07.2022 estimated the loss at Rs.28,68,90,191/- for 32 hours outage on both lines and pursuant to interim order dated 13.03.2025, negotiations happened between petitioner and NHAI and currently the loss is estimated to be Rs. 8.18 crores for 48 hours based on conservative estimate. On other hand, Sri Padma Rao Lakkaraju, learned Standing Counsel for NHAI, contended that the request for shutdown has been made in accordance with the established procedure and subject to the technical feasibility and in view of the availability of an alternate circuit for continuity of		

	power transmission, even if one circuit is temporarily shutdown, the transaction of power can be continued through the alternate circuit. He further contended that the NHA I has no objection to compensate the petitioner in the event any actual loss is caused even after exhausting all possible alternatives for transmission of power through the alternate circuit, but, without appreciating the technical aspects of the transmission system, the petitioner has assumed that shutdown would result in direct loss to him. Both the learned counsel submitted that for calculating the loss caused to the petitioner for 48 hours shutdown, a qualified chartered accountant need be appointed to calculate and mediate between the parties and later a qualified technical expert versed with power generation. In view of the submissions made by both the learned counsel, Ms.Madhuri VVR, qualified mediator and arbitrator from IIAM and APCAM-cum- Chartered Accountant, 101,102 Manbhum Venky Apartments, Near Hotel Katriya Raj Bhavan Road, Somajiguda, Hyderabad (98665 00005) is appointed to quantify the loss caused on account of 48 hours shutdown. The Mediator & Arbitrator-cum-Chartered Accountant shall issue notice to both the counsel well in advance fixing the date and place for undertaking the exercise. Both the learned counsel are at liberty to file calculation memos quoting the loss to be occasioned for 48 hours shutdown before the Chartered Accountant. The Chartered Accountant shall record the contentions		
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of the learned counsel, consider the calculation memos and calculate the loss that would be caused for 48 hours shutdown and send her report to the Registrar (Judicial), High Court of Andhra Pradesh, Amaravathi, through post & email before the next date of hearing.

The fee of the Chartered Accountant is tentatively fixed at Rs.1,00,000/- (Rupees one lakh only) apart from other incidental charges to be borne out by the petitioner.

The Registry shall prepare a warrant and entrust it to the Chartered Accountant as per procedure.

Regarding the appointment of technical expert is concerned, decision will be taken at an appropriate time, if necessity arises.

Post on 21.07.2026.

RAVI CHEEMALAPATI, J

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