

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)



TUESDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

**HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR
AND
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 24693 OF 2024**

Between:

M/s. Sarada Metals & Alloys Ltd, Having its registered office at, 125, B-wing, Mittal Court, Nariman Point, Mumbai, Maharashtra- 400 02. Rep by its Authorized Signatory

Petitioner

VERSUS

Andhra Pradesh Electricity Regulatory Commission, Through its Secretary, Vidyut Niyamtrana Bhavan, Dinnedeverapadu Road, Kurnool - 518002, Andhra Pradesh

Respondent

WHEREAS the Petitioner above named through its Advocate Sri Sai Sanjay Suraneni, presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus

- a) declaring Regulation 3.3 of APERC RPPO Regulations 2017 and 2022 as ultra vires to the Electricity Act, 2003 and set aside the same;
- b) Directing Ld. APERC to amend Regulation 3.3 of APERC RPPO Regulations 2017 and 2022 to give effect to the Ministry of Power's Directive dated 01.10.2019 regarding long-term growth trajectory of

RPO for captive power plants i.e., to cap RPO of captive power plants commissioned before 01.04.2016 at the RPO prescribed by Ld. APERC for FY 2015-16 i.e., at 5%;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Sai Sanjay Suraneni, Advocate for the Petitioner, directed issue of notice to the Respondent herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Secretary, Andhra Pradesh Electricity Regulatory Commission, Vidyut Niyrantrana Bhavan, Dinnedevarapadu Road, Kurnool - 518002, Andhra Pradesh

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 25.02.2025, on which date the case stands posted for hearing.

The Court made the following ORDER:

"List on 25.02.2025.

Notice be issued to APERC/respondent NO.1 for ensuring the presence of their counsel on the next date of hearing."

//TRUE COPY//

For A

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR
Ch
SECTION OFFICER

To,

1. The Secretary, Andhra Pradesh Electricity Regulatory Commission, Vidyut Niyrantrana Bhavan, Dinnedevarapadu Road, Kurnool - 518002, Andhra Pradesh (by RPAD- along with a copy of petition and affidavit)

2. One CC to SRI. SAI SANJAY SURANENI Advocate [OPUC]
3. Two spare copies

psk



HIGH COURT

HC,J &
RC,J

DATED:28.01.2025

LIST ON 25.02.2025

NOTICE BEFORE ADMISSION

WP.No.24693 of 2024

