GAHC040001902022

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/71/2022

SEW NAFRA Power Corporation Limited and Anr.
A Special Purpose Vehicle of M/s SEW Green Energy Limited (Formerly known as M/s SEW Energy Limited), A Company registered under the provisions of the Companies Act, 1956 read with the Companies Act, 2013 and having its registered office at 6-3-871, Snehalatha, Greenlands Road, Begumpet, Hyderabad-500016 and Project office at Nafra-790001 District West Kameng Arunachal Pradesh, represented by Sri Jayaprakash Natesan, Associate Vice President presently residing in Guwahati
2: M/s SEW Green Energy Limited
Age:
Occupation :
(Formerly known as M/s SEW Energy Limited) A Company incorporated under the Companies Act
1956
read with the Companies Act
2013 and having its registered office at 6-3-871
Snehalatha
Greenlands Road
Begumpet. Hyderabad-500016
and Project office at Nafra 790001
District West Kamen
Arunachal Pradesh
represented by Sri Jayaprakash Natesan
Associate Vice President
presenly residing in Guwahat

VERSUS

THE STATE OF AP and 4 Ors.
Represented by the Chief Secretary to the Govt. of Arunachal Pradesh, Itanagar
7911112:The Commissioner/Secretary (Power)
Age: 0
Occupation :
Govt. of Arunachal Pradesh

Department of Power
3rd Floor
Block 2
Arunachal Pradesh Secretariat
Itanagar 791111
Arunachal Pradesh.

3:The Chief Engineer (Monitoring)
Age: 0
Occupation :
Department of Hydro Power Development
Govt. of Arunachal Pradesh
2nd Floor
Jal Vidyut Bhawan
Itanagar 791111
Arunachal Pradesh

4:The Chairman and Managing Director
Age: 0
Occupation :
M/s North Eastern Electric Power Corporation Limited (NEEPCO)
Brookland Compound
Lower New Colony
Shillong
793003
Meghalaya State
India

5:M/s North Eastern Electric Power Corporation Limited (NEEPCO)
Age: 0
Occupation :
Brookland Compound
Lower New Colony Shillong
793003
Meghalaya State
India

Advocate for the Petitioner : Medha Lila Gope

Advocate for the Respondent : GA (AP)

Linked Case : IA(C)/75/2020

SEW Nafra Power Corporation Ltd.
Age: 0
Occupation :
Address:A SPECIAL PURPOSE VECHICLE OF M/S SEW GREEN ENERGY LIMITED
FORMERLY KNOWN AS M/S SEW ENERGY LIMITED
A COMPANY REGISTERED UNDER THE PROVISION OF COMPANIES ACT 1956 READ WITH THE COMPANIES ACT
2013 AND HAVING ITS REGISTERED OFFICE AT 6.3.871
SNEHALATA
GREEN LANDS ROAD
BEGUMPET
HYDRABAD 16
AND PROJECT OFFICE AT NAFRA 790001
DIST. WEST KAMENG
AP. REP. BY SRI JYAYAPRAKASH NETESAN
ASSOCIATE VICE PRESIDENT.
2: M/S SEW GREEN ENERGY LIMITED
Age: 0
Occupation :
Address:A COMPANY INCORPORATED UNDER THE COMAPANIES ACT 2013 AND HAVING ITS REGISTERED OFFICE AT 6.3.871
SNEHALATA
GREENLANDS ROAD
BEGUMPET
HYDRABAD-16 AND PROJECT OFFICE AT NAFRA-790001
DIST. WEST KAMENG
AP. REPRESENTED BYJAYAPRAKASH NATESAN
ASSOCIATE VICE PRESIDENT.
VERSUS

THE STATE OF AP
Age: 0
Occupation :
Address:REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF AP
ITANAGAR.
2:THE COMMISSIONER/SECRETARY (POWER)
Age: 0
Occupation :
Address:GOVT. OF AP
3RD FLOOR
BLOCK 2 AP SECRETARIAT
ITANAGAR
AP.

3:THE CHIEF ENGINEER (MONITORING)
Age: 0
Occupation :

Address:DEPTT. OF HYDRO POWER DEVELOPMENT
GOVT. OF AP
2ND FLOOR
JAL VIDYUT BHAWAN
ITANAGAR
AP.

Advocate for : N Hawelia
Advocate for : GA (AP) appearing for THE STATE OF AP: Advocate ,

, appearing for 2,

3, respectively.

Linked Case : WP(C)/70/2022

SEW New Melling Power Corporation Limited and Anr.
Age: 0
Occupation :
Address:A Special Purpose Vehicle of M/s SEW Green Energy Limited (Formerly known as M/s SEW Energy Limited)
A Company registered under the provisions of the Companies Act
2013 and having its registered office at 6-3-871
Snehalata
Greenlands Road
Begumpet. Hyderabad-16 and Project Office at Jang 790104
District Tawang
Arunachal Pradesh
represented by Sri Jayaprakash Natesan
Associate Vice President presently reisiding in Guwahati

2: M/s SEW Green Energy Limited
Age: 0
Occupation :
Address:(Formerly known as M/s SEW Energy Limited) A Company incorporated under the Companies Act
1956
read with the Companies Act
2013 and having its registered office at 6-3-871
Snehalata
Greenlands Road
Begumpet. Hyderabad 500016
and Project office at Jang 790104. District Tawang
Arunachal Pradesh
represented by Sri Jayaprakash Natesan
Associate Vice President presently residing in Guwahati

VERSUS

THE STATE OF AP and 4 Ors.
Age: 0
Occupation :
Address:Represented by the Chief Secretary to the Govt. of Arunachal Pradesh
Itanagar 791111
2:The Commissioner/Secretary (Power)
Age: 0
Occupation :
Address:Govt. of Arunachal Pradesh
Department of Power
3rd Floor
Block - 2
Arunachal Pradesh Secretariat
Itanagar
Arunachal Pradesh

3:The Chief Engineer (Monitoring)
Age: 0
Occupation :
Address:Department of Hydro Power Development
Govt. of Arunachal Pradesh
2nd Floor
Jal Vidyut Bhawan
Itanagar 791111
Arunachal Pradesh

4:The Chairman and Managing Director
Age: 0
Occupation :
Address:M/s North Eastern Electric Power Corporation Limited (NEEPCO)
Brookland Compound
Lower New Colony
SHILLONG
793003
Meghalaya State
India

5:North Eastern Electric Power Corporation Limited (NEEPCO)
Age: 0
Occupation :
Address:Brookland Compound
Lower New Colony
Shillong 793303
Meghalaya State
India.

Advocate for : Medha Lila Gope
Advocate for : GA (AP) appearing for THE STATE OF AP and 4 Ors.: Advocate ,

,

,

, appearing for 2,

3,

4,

5, respectively.

Linked Case : WP(C)/58/2020

SEW Nafra Power Corporation Ltd. and Anr.
Age: 0
Occupation :
Address:a special purpose vehicle of M/S SEW Green Energy Ltd. formerly known as M/S SEW Energy ltd. registered under the provision the companies Act
1956
represented by Sri Jayaprakash Natesan
Associate vice President
2: M/S SEW Green Energy Ltd.
Age: 0
Occupation :
Address:formerly known as M/S SEW Energy ltd. a company incorporated under the Companies Act
1956
represented by Sri Jayaprakash Natesan
Associate Vice President.
VERSUS

THE STATE OF AP AND 2 ORS.
Age: 0
Occupation :
Address:represented by the Chief Secretary
Govt. of AP
Itanagar
2:The Commissioner
/Secretary

Age: 0
Occupation :

Address:Power
Govt. of AP
Itanagar

3:The Chief Engineer

Age: 0
Occupation :
Address:Department of Hydro Power Development
Govt. of AP
Itanagar

Advocate for : Medha Lila Gope
Advocate for : Lissing Perme appearing for THE STATE OF AP AND 2 ORS.:
Advocate ,

, appearing for 2,

3, respectively.

BEFORE
HONBLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 24.05.2024

Both sides are duly represented.

The respondent nos. 4 & 5 has filed affidavit-in-reply in the matter, which is not on record.

Registry shall tag the same on record.

In view of the issue raised in this writ petition, the writ petition stands admitted for hearing by issuing Rule, returnable forthwith, without requiring any fresh steps to be taken.

As agreed to by both sides, list for hearing on 22.07.2024.

On the prayer made by Ms. N. Hawelia, learned counsel for the petitioners

as well as Mr. N. Ratan, learned Additional Advocate General for the State, the Court is inclined to observe that the pendency of this writ petition shall not be a bar for the petitioners and the respondent nos. 4 & 5 to negotiate the settlement of the matter.

JUDGE

Comparing Assistant