

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 10586 of 2023)

MADHYA PRADESH POORVA KSHETRA
VIDHYUT VITRAN COMPANY LTD.

APPELLANT(S)

VERSUS

ULTRATECH CEMENT LIMITED & ORS.

RESPONDENT(S)

WITH

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 10427 of 2023)

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 3925 of 2023)

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 3927 of 2023)

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 3957 of 2023)

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 13979 of 2023)

CIVIL APPEAL NO. _____ OF 2023
(@ Diary No. 29249 of 2023)

O R D E R

Delay condoned.

We do not find any good ground and reason to interfere with the impugned judgment(s)/order(s) in view of the judgments of this Court in "*Maharashtra State Electricity Distribution Co. Ltd. vs. M/s. JSW Steel Limited & Ors.*" reported as (2022) 2 SCC 742 and "*GMR Warora Energy Limited vs. Central Electricity Regulatory Commission (CERC) & Ors.*" reported as 2023 SCC OnLine SC 464.

R.P.(C) nos. 177-178/2022 seeking review of the judgment in

JSW Steel Limited (supra) were dismissed by this Court on 22.02.2022.

Recording the aforesaid, the appeals are dismissed.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
SEPTEMBER 11, 2023.

REVISED

ITEM NO.5

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No. 10586/2023

(Arising out of impugned final judgment and order dated 06-01-2023 in RP No. 11/2022 passed by the Appellate Tribunal for Electricity at New Delhi)

MADHYA PRADESH POORVA KSHETRA
VIDHYUT VITRAN COMPANY LTD.

Appellant(s)

VERSUS

ULTRATECH CEMENT LIMITED & ORS.

Respondent(s)

(IA No. 119165/2023 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS, IA No. 119168/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 119167/2023 - STAY APPLICATION)

WITH

Diary No. 10427/2023 (XVII)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 113505/2023, FOR STAY APPLICATION ON IA 113506/2023, FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 113508/2023 and FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 151615/2023)

Diary No. 3925/2023 (XVII)

(FOR STAY APPLICATION ON IA 76129/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 76130/2023 and FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 76131/2023)

Diary No. 3927/2023 (XVII)

(FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 72383/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 72387/2023 and FOR STAY APPLICATION ON IA 72388/2023)

Diary No. 3957/2023 (XVII)

(FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 71168/2023, FOR STAY APPLICATION ON IA 71169/2023 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 71170/2023)

Diary No. 13979/2023 (XVII)

(FOR STAY APPLICATION ON IA 137222/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 137223/2023 and FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 137224/2023)

Diary No. 29249/2023 (XVII)

(FOR STAY APPLICATION ON IA 164270/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 164273/2023 and FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 164275/2023)

Date : 11-09-2023 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI**

For Appellant(s)

**Mr. Tushar Mehta, SG
Mr. Vikas Upadhyay, AOR
Mr. Arjun Singh Tomar, Adv.
Ms. Ankita Kashyap, Adv.
Mr. Kaustubh Anshuraj, Adv.
Mr. Kuber Boddh, Adv.**

**Mr. Balbir Singh, A.S.G.
Mr. Nitin Gaur, Adv.
Mr. Anshuman Ashok, AOR
Mr. Shyam Gopal, Adv.**

For Respondent(s)

**Mr. Basava Prabhu S. Patil, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Mrs. Vanita Bhargava, Adv.
Ms. Nikitha Shenoy, Adv.
Mr. Geet Rajan Ahuja, Adv.
Mr. Samarth Kashyap, Adv.
M/s. Khaitan & Co., AOR**

**Mr. C.S. Vaidynathan, Sr. Adv.
Mr. Amit Kapur, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Shri Venkatesh, Adv.
Mr. Victor Das, Adv.
Ms. Anvesha Padhi, Adv.
Mr. E.C. Agrawala, AOR**

**Mr. Shyam Divan, Sr. Adv.
Mr. Amit Kapur, Adv.
Mr. Abhishek Munot, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Malcolm Desai, Adv.
Mr. Kunal Kaul, Adv.
Mr. Samikrith Rao, Adv.
Mr. Karun Sharma, Adv.**

**UPON hearing the counsel the Court made the following
O R D E R**

Delay condoned.

The appeals are dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(signed order is placed on the file)

ITEM NO.5

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No. 10586/2023

(Arising out of impugned final judgment and order dated 06-01-2023 in RP No. 11/2022 passed by the Appellate Tribunal for Electricity at New Delhi)

MADHYA PRADESH POORVA KSHETRA
VIDHYUT VITRAN COMPANY LTD.

Petitioner(s)

VERSUS

ULTRATECH CEMENT LIMITED & ORS.

Respondent(s)

(IA No. 119165/2023 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS, IA No. 119168/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 119167/2023 - STAY APPLICATION)

WITH

Diary No. 10427/2023 (XVII)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 113505/2023, FOR STAY APPLICATION ON IA 113506/2023, FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 113508/2023 and FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 151615/2023)

Diary No. 3925/2023 (XVII)

(FOR STAY APPLICATION ON IA 76129/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 76130/2023 and FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 76131/2023)

Diary No. 3927/2023 (XVII)

(FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 72383/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 72387/2023 and FOR STAY APPLICATION ON IA 72388/2023)

Diary No. 3957/2023 (XVII)

(FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 71168/2023, FOR STAY APPLICATION ON IA 71169/2023 and FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 71170/2023)

Diary No. 13979/2023 (XVII)

(FOR STAY APPLICATION ON IA 137222/2023, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 137223/2023 and FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA 137224/2023)

Diary No. 29249/2023 (XVII)

(FOR STAY APPLICATION ON IA 164270/2023, FOR EXEMPTION FROM FILING

C/C OF THE IMPUGNED JUDGMENT ON IA 164273/2023 and FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 164275/2023)

Date : 11-09-2023 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI**

For Petitioner(s)

**Mr. Tushar Mehta, SG
Mr. Vikas Upadhyay, AOR
Mr. Arjun Singh Tomar, Adv.
Ms. Ankita Kashyap, Adv.
Mr. Kaustubh Anshuraj, Adv.
Mr. Kuber Boddh, Adv.**

**Mr. Balbir Singh, A.S.G.
Mr. Nitin Gaur, Adv.
Mr. Anshuman Ashok, AOR
Mr. Shyam Gopal, Adv.**

For Respondent(s)

**Mr. Basava Prabhu S. Patil, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Mrs. Vanita Bhargava, Adv.
Ms. Nikitha Shenoy, Adv.
Mr. Geet Rajan Ahuja, Adv.
Mr. Samarth Kashyap, Adv.
M/s. Khaitan & Co., AOR**

**Mr. C.S. Vaidynathan, Sr. Adv.
Mr. Amit Kapur, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Shri Venkatesh, Adv.
Mr. Victor Das, Adv.
Ms. Anwasha Padhi, Adv.
Mr. E.C. Agrawala, AOR**

**Mr. Shyam Divan, Sr. Adv.
Mr. Amit Kapur, Adv.
Mr. Abhishek Munot, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Malcolm Desai, Adv.
Mr. Kunal Kaul, Adv.
Mr. Samikrith Rao, Adv.
Mr. Karun Sharma, Adv.**

**UPON hearing the counsel the Court made the following
O R D E R**

Delay condoned.

We do not find any good ground and reason to interfere with

the impugned judgment(s)/order(s) in view of the judgments of this Court in "*Maharashtra State Electricity Distribution Co. Ltd. vs. M/s. JSW Steel Limited & Ors.*" reported as (2022) 2 SCC 742 and "*GMR Warora Energy Limited vs. Central Electricity Regulatory Commission (CERC) & Ors.*" reported as 2023 SCC OnLine SC 464.

R.P.(C) nos. 177-178/2022 seeking review of the judgment in *JSW Steel Limited* (supra) were dismissed by this Court on 22.02.2022.

Recording the aforesaid, the special leave petitions are dismissed.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR