

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 3454-3455 OF 2010

GUJARAT URJA VIKAS NIGAM LTD.

Appellant (s)

VERSUS

ESSAR POWER LIMITED

Respondent(s)

(With appln(s) for stay)

Date: 02/09/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL
HON'BLE MR. JUSTICE H.L. GOKHALE

For Appellant(s)

Mr. Dushyant Dave, Sr. Adv.
Mr. M. G. Ramachandran, Adv.
Ms. Swapna, Adv.
Ms. Jesal, Adv.
Ms. Hemantika Wahi, Adv.

For Respondent(s)

Mr. C. S. Vaidyanathan, Sr. Adv.
Mr. Mukul Rohatgi, Sr. Adv
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Ms. Shikha Sarin, Adv.
Ms. Neeha Nagpal, Adv.
Mr. Keyur Gandhi, Adv.
Mr. E.C. Agrawala, Adv.

UPON hearing counsel the Court made the following

O R D E R

Civil Appeal No. 3454 OF 2010

The appeal directed against the decision dated 22.2.2010 rendered by the Appellate Tribunal for Electricity in appeal No.77/2009 upholding the finding of the State Commission that the claim of the appellant against the respondent for any period upto 14.9.2002 is

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barred by time except to the extent of Rs.64 crores paid by the respondent to the appellant pursuant to the full and final settlement of claims for the period from 1998 upto September, 2004, is dismissed.

Civil Appeal No. 3455 OF 2010

The Civil Appeal is admitted.

(Neetu Sachdeva)
Sr. P. A.

(Sneh Bala Mehra)
Court Master

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

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.....J.
(J.M. PANCHAL)

NEW DELHI
SEPTEMBER 2, 2011

.....J.
(H.L. GOKHALE)