

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

IA.NO.4 IN CIVIL APPEAL NO. 3091 OF 2006

CENTRAL POWER DIS. CO. OF A.P. LTD.&ANR.

Appellant (s)

VERSUS

M/S GAYATRI AGRO INDL. POWER LTD. & ORS.

Respondent(s)

(With appln. for clarification and office report)

Date: 01/04/2011 This Application was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHUAHAN
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Appellant(s) Mr. A. Subba Rao,Adv.

Applicant/respondent:Mr.P.S. Narasimha, Sr.Adv.
Mr.Rohit Rao N., Adv.
Mr. Ananga Bhattacharyya ,Adv

For Respondent(s) Mr. G. Ramakrishna Prasad,Adv.

Mr. Guntur Prabhakar ,Adv

Mr. V.G. Pragasam ,Adv

Mr.Khwairakpam Nobin Singh ,Adv

Mr. Y. Raja Gopala Rao ,Adv

M/S. Lawyer'S Knit & Co ,Adv

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

I.A. No.4 is disposed of.

[Usha Bhardwaj]
Court Master

[Savita Sainani]
Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO. 4 OF 2010

IN

CIVIL APPEAL NO. 3091 OF 2006

Central Power Distribution Company of
Andhra Pradesh & Anr.

...Appellant(s)

Versus

M/s Gayatri Agro Industrial Power Ltd. &
Ors.

...Respondent(s)

O R D E R

This application is filed by the applicant for review of our judgment dated 8th July, 2010. At the very

outset, we have very serious doubts whether the present application would satisfy the basic ingredients of Order 47 Rule 3 of the Civil Procedure Code, 1908.

However, we do

not wish to go into that question as it is not disputed

before us. In response to the notice issued by the Andhra

Pradesh Electricity Regulatory Commission, the present applicant has already filed a detailed reply. It is contended that the applicant has not entered into a Power Purchase Agreement after the Regulatory Commission was formed in the year 2000, as such they are not bound by the tariff determined by the Commission even subsequent to the Judgment of this Court.

...2/-

:2:

While leaving all contentions of both the parties open, we do not find any merit in this application for clarification.

I.A. No.4 is disposed of accordingly.

.....J.
(Dr. B.S. Chauhan)

.....J.
(Swatanter Kumar)

New Delhi,
April 01, 2011.