

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 NO.5473 OF 2011

PASCHIMANCHAL VIDYUT VITRAN NIGAM LTD.

Appellant (s)

VERSUS

M/S NOIDA POWER CO.LTD.& ANR

Respondent(s)

(With appln(s) for ex-parte stay, exemption from filing O.T. and office report)

Date: 17/10/2011

This Appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Appellant(s)

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Pradeep Misra, Adv.
Mr. Suraj Singh, Adv.

For Respondent(s)

Mr. Shanti Bhushan, Sr. Adv.
Mr. M.G. Ramachandran, Adv.
Mr. Vishal Gupta, Adv.
Mr. Sanjeev K. Kapoor, Adv.
Ms. Ranjita Ramachandran, Adv.
for M/s. Khaitan & Co., Advs.

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

The civil appeal shall stand over for eight weeks. The Court would like to know the project cost for providing distribution network in Greater NOIDA for which the appellant has asked for a licence. There is a specific finding given by the Tribunal at Page 26 of the Appeal Paper Book that

...3/-

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the network of the appellant has eroded. That, the appellant is not in a position to provide for thirty per cent of the capital project cost.

In the circumstances, we direct Power Grid Corporation of India Limited to estimate the project cost in terms of today's value. On receiving the figure of the project cost, the State Government will have to provide funds to the appellant, as recommended by Power Grid Corporation of India Limited.

Matter to be kept for Orders after Report is submitted by Power Grid Corporation of India Limited.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar