



**ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION**  
4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad 500 004

SATURDAY, THE THIRTY FIRST DAY OF AUGUST  
TWO THOUSAND AND NINETEEN

:Present:

**Justice G. Bhavani Prasad, Chairman**  
**Dr. P. Raghu, Member**  
**Sri P. Rama Mohan, Member**

I.A. (SR) No. 43 of 2019

IN

O.P.No. 35 of 2019

**Between:**

M/s. Vayu Urja Bharat Private Limited

... **Petitioner/Applicant**

**AND**

Southern Power Distribution Company of AP Limited

... **Respondent/Respondent**

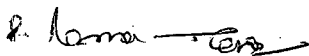
This Interlocutory Application has come up for hearing finally on 31-08-2019, in the presence of Ms. Priya Dhankhar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent. After carefully considering the material available on record and after hearing the arguments of the learned counsel for both parties, the Commission passed the following:

**ORDER**

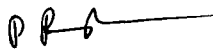
An Interlocutory Application has been filed by the respondent requesting to reopen the matter and for further hearing and this Interlocutory Application has been received after the Commission deliberated on the matter and dictated the order to be pronounced today. The respondent, while stating in the Interlocutory Application that the claims of the petitioner about the quantum of power supplied and price claimed are not correct, did not refer to any specific information about such incorrectness in the affidavit in support of the Interlocutory Application. In fact, after appearance of

the respondent through its Standing Counsel in the matter, three adjournments were given for filing counter and after filing counter, four dates of hearing had taken place before the matter was reserved for orders on 24-08-2019 and thus, the respondent had more than a reasonable opportunity to correct any contentions or furnish right information to the petitioner and the Commission to enable the Commission to come to an appropriate and correct conclusion on the facts in controversy. Having not utilized the ample opportunities so available and having admittedly not paid for the electricity generated and supplied by the petitioner to the respondent in full from March, 2017 up-to-date (though some part payments were made), any further postponement of the matter will only perpetuate the financial crisis of the petitioner and if there is any controversy on the quantum of the claims made by the petitioner, the same can still be set right either through a mutual understanding between the parties or by the respondent coming up with an appropriate application for review or otherwise, whichever further course of action is available to it under law but not by further postponing the matter. Therefore, this Interlocutory Application is rejected, while giving liberty to the respondent to pursue the remedies available to it under law in respect of correcting any inaccuracy in the quantum of energy supplied and the price paid.

This order is corrected and signed on this the 31<sup>st</sup> day of August, 2019.



**P. Rama Mohan**  
Member



**Dr. P. Raghu**  
Member



**Justice G. Bhavani Prasad**  
Chairman