

**Record of proceedings dated 24-07-2019**

O.P.No.12 of 2018

FOR ORDERS

M/s. ITC Limited Vs APSPDCL & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 399 / 16 dated 30-05-2016.

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

Orders pronounced (*vide separate common order*)

“**26.** Both the Original Petitions have to be ordered accordingly. Accordingly, **O.P.No.11 of 2018** is allowed in part, directing the respondents 1 to 3 to jointly and severally pay Rs.1,09,48,824/- (Rupees one crore nine lakhs forty eight thousand eight hundred and twenty four only) to the petitioner towards the delayed payment surcharge for the delay in payment of energy bills and the 4<sup>th</sup> respondent is directed to pay Rs.2,12,097/- (Rupees two lakhs twelve thousand ninety seven only) with interest of Rs.38,028/- (Rupees thirty eight thousand twenty eight only) towards the double billed SLDC operating charges. **O.P.No.12 of 2018** is allowed in part, directing the respondents 1 to 3 to jointly and severally pay Rs.66,71,586/- (Rupees sixty six lakhs seventy one thousand five hundred and eighty six only) towards delayed payment surcharge for the delay in payment of energy bills. The rest of the claims in both the Original Petitions are disallowed and the parties shall bear their own costs in both the Original Petitions”.

Sd/-  
MEMBER/PR

Sd/-  
CHAIRMAN

O.P.No.11 of 2018  
FOR ORDERS  
M/s. ITC Limited Vs APSPDCL & 3 others

Petition under Sections 86(1) (f) and 62 (6) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge, interest, reimbursements and / or refunds from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 377 / 14 dated 04-12-2014.

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

Orders pronounced (*vide separate common order*)

“**26.** Both the Original Petitions have to be ordered accordingly. Accordingly, **O.P.No.11 of 2018** is allowed in part, directing the respondents 1 to 3 to jointly and severally pay Rs.1,09,48,824/- (Rupees one crore nine lakhs forty eight thousand eight hundred and twenty four only) to the petitioner towards the delayed payment surcharge for the delay in payment of energy bills and the 4<sup>th</sup> respondent is directed to pay Rs.2,12,097/- (Rupees two lakhs twelve thousand ninety seven only) with interest of Rs.38,028/- (Rupees thirty eight thousand twenty eight only) towards the double billed SLDC operating charges. **O.P.No.12 of 2018** is allowed in part, directing the respondents 1 to 3 to jointly and severally pay Rs.66,71,586/- (Rupees sixty six lakhs seventy one thousand five hundred and eighty six only) towards delayed payment surcharge for the delay in payment of energy bills. The rest of the claims in both the Original Petitions are disallowed and the parties shall bear their own costs in both the Original Petitions”.

Sd/-  
MEMBER/PR

Sd/-  
CHAIRMAN