

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 12324 OF 2016
[CIVIL APPEAL D. NO. 32409 OF 2016]

HARYANA VIDHYUT PRASARAN NIGAM LTD.

Appellant(s)

VERSUS

HARYANA ELECTRICITY REGULATORY
COMMISSION AND ANR.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Delay condoned.
2. It is seen that the APTEL has left the issue regarding impact on tariff under Section 63 of the Electricity Act, 2003 to be decided by the Arbitral Tribunal.
3. We make it clear that the Tribunal will take an independent decision, uninfluenced by any of the observations and findings in the impugned Judgment.
4. The Arbitral Tribunal is directed to decide the impact on tariff as a preliminary issue.
5. In view of the above, the appeal is disposed of.

No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
December 14, 2016.