

and current fuel surcharge according to their honest calculation of fuel cost surcharge by using the principles relied upon by them within 15 days of the order dated 8.10.2009.

The learned counsel for the intervener petitioners M/s Ispat Private Limited and M/s Super Smelters Limited (formerly known as SAI Electrocastings Limited) submits that they have also been served with disconnection notices for supply of electricity and as such they may also be given the same protection as has been given to M/s Bihar Foundry & Castings Limited and M/s Anjaney Ferro Alloys Limited by the Hon'ble Appellate Tribunal for Electricity in its order dated 8.10.2009. The learned counsel for the respondent-DVC has no objection to the above prayer subject to their complying the Hon'ble Appellate Tribunal's order dated 8.10.2009.

Keeping the above in view and as agreed to by the counsel for the respondent-DVC, the intervener petitioners M/s Ispat Private Limited and M/s Super Smelters Limited (formerly known as SAI Electrocastings Limited) are directed to comply with the same order dated 8.10.2009 of Hon'ble Tribunal and in the event of complying the order of the Hon'ble Tribunal the notice for disconnection of supply will not be acted upon against them by the respondent-DVC till 28.10.2009.

In the meantime the respondent-DVC is directed to file their ARR and tariff petitions for fixation of distribution tariff for the FY 2007-08, FY 2008-09 and FY 2009-10 which have already become due along with FY 2010-11 which will become due on 1.11.2009 as per the Regulation of the Commission.

With the above observations the applications are disposed of.

(Mukhtiar Singh)
Chairperson