



ORDER  
11.08.2009

These applications have been filed on behalf of the petitioners praying for a direction to the respondents-DVC not to raise bills on the basis of Fuel Cost Surcharge (FCS) at enhanced rate and for adjustment/refund of the excess amount realized from the petitioners-consumers for the period from April 2006 to May 2009 in view of the order dated 27.4.2009 passed by the Commission in similar cases being Case Nos. 11,12,14,18 and 19 of 2007-08.

The Hon'ble Appellate Tribunal for Electricity by its order dated 22.7.2009 passed in Appeal No. 85 of 2009 allowed the appeal and set aside the order dated 27.4.2009 passed by the Commission in similar cases being Case Nos. 11,12,14,18 and 19 of 2007-08. It was further held by the Hon'ble Appellate Tribunal that the arrears on account of FCS formulae based on DVC's tariff order dated 1.9.2000 is to be liquidated with delayed payment surcharge at the rate applicable to the defaulting consumers of the State of Jharkhand within a period of six months from the date of judgement.

The issues involved in these cases are same and similar and covered by the judgement dated 22.7.2009 passed by the Hon'ble Appellate Tribunal for Electricity in Appeal No. 85 of 2009. Accordingly, these cases are being disposed of in terms of the aforesaid judgement passed by the Hon'ble Appellate Tribunal for Electricity.

(P.C. Verma)  
Member (Tech)

(Mukhtiar Singh)  
Chairperson