

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

**Appeal No. 6 of 2010 &
I.A. No. 10 of 2010**

Dated: 10th September, 2010

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member**

In the matter of:

**M.P. State Cooperative Dairy Federation Ltd. & Ors. Appellant (s)
Versus
M.P.E.R.C. & Ors. ... Respondent (s)**

Counsel for the Appellant (s) : Mr. Umesh Nigam

Counsel for the Respondent (s) : Mr. Sanjay Sen, Ms. Shikha Ohri,
Mr. Dwivedi & Mr. Ashok Upadhyay
(Rep.) for MPERC

Mr. Naveen Sharma for Resp. 2

Mr. S. S. Chauhan for Resp. 3

Mr. Anand K. Ganesan, Ms. Sneha
Venkataramani & Ms. Ranjitha for Resp. 4

ORDER

The learned counsel for the Appellant has argued the matter at length.

It is pointed out that the Order earlier passed by the Commission dated 09.03.2009 is challenged in the Writ Petition pending before the High Courts of Madhya Pradesh. This Appeal relates to the validity of the Order passed by the Commission on 29.07.2009 in respect of the Order for the year 2009-2010 on the strength of the earlier Order passed on 09.03.2009, which is said to be challenged in the Writ Petition.

Therefore, the learned counsel for the parties seek some time to get instructions from the parties with regard to those matters.

Post the matter for further hearing on **26.10.2010**. In the meantime, it is open to the parties to file the additional statements.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/ksm