

**COURT-II**  
**Before the Appellate Tribunal for Electricity**  
**(Appellate Jurisdiction)**

**IA Nos. 230 & 231 of 2016 in Appeal No. 281 of 2015**

**Dated** : **28<sup>th</sup> April, 2016**

**Present** : **Hon'ble Mr. Justice Surendra Kumar, Judicial Member**  
**Hon'ble Mr. T. Munikrishnaiah, Technical Member**

**In the matter of:-**

**The Tata Power Delhi Distribution Ltd.** .... **Appellant(s)**  
**Versus**  
**Delhi Electricity Regulatory Commission & Ors.** ..... **Respondent(s)**

Counsel for the Appellant(s) : Mr. Vishal Anand, Mr. Anupam Verma,  
Mr. Rahul Kinra

Counsel for the Respondent(s) : Mr. Nikhil Nayyar,  
Mr. Dhananjay Baijal for R-1

Mr. H.S. Phoolka, Sr. Adv.  
Mr. Sumeet Pushkarna,  
Mr. Siddharth Nagpal,  
Mr. P. Narayanan for R-3

Mr. Matrugupta Mishra,  
Mr. Hemant Singh for DUBEA

**ORDER**

IA No.230 of 2016 has been filed on behalf of the Appellant, praying for urgent listing of the accompanying application, being IA No. 231 of 2016. The urgent hearing in the matter is being requested on the ground that this Appellate Tribunal, while vacating the Stay Order, has made it clear that the Judgment of the Hon'ble Division Bench of the Delhi High Court, will govern the field.

After the vacation of the Interim Order by this Appellate Tribunal, DTL and Pension Trust have raised some bills asking for payments to be made by the Appellant/TPDDL without making compliance of the Order of the Hon'ble Division Bench of the Delhi High Court. In this view of the matter, we deem it proper to urgently list this matter for hearing of the IA, being IA No.231 of 2016. Accordingly, this **IA, being IA No. 230 of 2016, praying for urgent listing, is hereby allowed.**

IA No. 231 of 2016 has been filed by the Appellant, praying for urgent direction/modification of the Order, dated 1.4.2016, for the reasons mentioned therein. Copy of this application is furnished to the Respondents.

Mr. H.S.Phoolka, Learned Senior counsel appearing for the Pension Trust, submits that he has already received the copy and he is filing his submissions/objections to IA No. 231 of 2016, today itself.

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It has been submitted by learned counsel for the Appellant that all other Respondents have already been furnished with the copy and properly served. Some other learned counsel, appearing for the Respondents are present today, desiring not to file any objection/reply to the said IA No. 231 of 2016.

Till the disposal of IA, being IA No. 231 of 2016, no coercive steps shall be taken against the Appellant. All the points regarding maintainability of IA No. 231 of 2016, shall remain open to the parties.

Post this IA, being IA No. 231 of 2016 for hearing on **5<sup>th</sup> May, 2016**.

**( T. Munikrishnaiah )**  
**Technical Member**

**( Justice Surendra Kumar )**  
**Judicial Member**

vt/kt