

**Court-II**

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

**RP No. 7 of 2016 in A.No.99 of 2015**

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

**Present : Hon'ble Mr. Justice Surendra Kumar, Judicial Member  
Hon'ble Mr. I. J. Kapoor, Technical Member**

In the matter of:

**Powergrid Corporation of India Ltd.**

**...Appellant(s)**

**Versus**

**Central Electricity Regulatory Commission & Ors.**

**...Respondent(s)**

Counsel for the Appellant : Mr. M. G. Ramachandran, Ms. Ranjitha Ramachandran, Ms. Anushree Bardhan and Mr. Shubham Arya

Counsel for the Respondent(s) : -

**ORDER**

The instant Review Petition, being No.7 of 2016 in Appeal No. 99 of 2015 has been filed by the appellant/Review Petitioner, namely Powergrid Corporation of India Ltd., seeking review of the judgment of this Appellate Tribunal dated 01.12.2015 in Appeal No. 99 of 2015 in the matter of *Powergrid Corporation of India Ltd. Vs. Central Electricity Regulatory Commission & Ors.*, on the five aspects mentioned in paragraph 9 of the Review Petition. This Review Petition has been filed as per the following order dated 15.03.2016, passed by Hon'ble Supreme Court of India in Civil Appeal No.4469 of 2016, captioned as *Powergrid Corporation of India Ltd. Vs. Central Electricity Regulatory Commission & Ors.* :

*"1. Mr. V. Giri, Learned senior counsel appearing on behalf of the appellant seeks permission to withdraw this appeal with liberty to approach the Tribunal by way of application for review. The prayer is allowed.*

2. *In case the application for review is filed within two weeks' from today, the same may not be dismissed on the ground of delay.*

3. *The civil appeal is, accordingly, dismissed as withdrawn with liberty as above."*

- 2) We have heard Mr. M. G. Ramachandran, learned counsel for the appellant and perused the aforesaid order dated 15.03.2016 of Hon'ble Supreme Court, wherein the Hon'ble Supreme Court has allowed the prayer of the appellant/Review Petitioner, seeking withdrawal of the appeal with liberty to approach this Appellate Tribunal by way of filing a Review Petition. The Hon'ble Supreme Court clearly mentioned in the order that the Review Petition be filed within the period of two weeks from the date of order of the Hon'ble Supreme Court, the same may not be dismissed on the ground of delay. As per Mr. M. G. Ramachandran, the Review Petition has been filed within two weeks from the order of the Hon'ble Supreme Court.
- 3) Considering the aforesaid circumstances, we **admit the Review Petition** for hearing on merits.
- 4) **Issue Notice to the respondents**, returnable within three weeks from today, requiring them to file objections to the Review Petition within five weeks from today.

**Dasti service** is permitted.

Post this Review Petition for hearing on merits on **14<sup>th</sup> July, 2016.**

**( I. J. Kapoor )**  
**Technical Member**

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

*sh/mk*