

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 290 OF 2015 & IA NOS. 11 OF 2016 &
470 OF 2015 & 737 of 2018

AND

APPEAL NO. 297 OF 2015 & IA NO. 12 OF 2016 &
813 of 2018

Dated : 16th August, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member

APPEAL NO. 290 OF 2015 &
IA NOS. 11 OF 2016 & 470 OF 2015 & 737 of 2018

In the matter of:

BSES Yamuna Power Ltd.

.... Appellant(s)

Vs.

Delhi Electricity Regulatory Commission

.... Respondent(s)

Counsel for the Appellant (s)

:

Mr. Buddy A Ranganadhan
Ms. Malavika Prasad

Counsel for the Respondent(s)

:

Mr. Manoj Kumar Sharma for
Mr. Pradeep Misra for R-1

APPEAL NO. 297 OF 2015 &
IA NO. 12 OF 2016 & 813 of 2018

In the matter of:

BSES Rajdhani Power Ltd.

.... Appellant(s)

Vs.

Delhi Electricity Regulatory Commission

.... Respondent(s)

Counsel for the Appellant (s)

:

Mr. Buddy A Ranganadhan
Mr. Raghav Chadha

Counsel for the Respondent(s)

:

Mr. Manoj Kumar Sharma for
Mr. Pradeep Misra for R-1

ORDER
IA No. 737 of 2018 in APPEAL No. 290 of 2015 – (for directions)

The prayer sought by the Learned counsel appearing for the Appellant in these IAs' are :-

- a) Allow the present Application permitting the Applicant/Appellant to withdraw "Ground 9.44" in the appeal and give liberty to the Applicant/Appellant to pursue the said issue before the State Commission with all questions being kept open;
- b) For such other and further relief's as the nature and circumstances of the case may require.

We have heard learned counsel appearing for the Appellant and the learned counsel appearing for the Respondent No.1.

Learned counsel appearing for the Appellant, at the outset submitted that the instant application filed by the Appellant for directions may kindly be disposed of reserving liberty to the Appellant to file necessary applications before the State Commission seeking the appropriate relief in the interest of justice and equity.

All the contentions raised in the instant Appeal may kindly be kept open.

The submission made by the learned counsel appearing for the Appellant, as stated above, is placed on record.

In the light of the submissions made by the learned counsel appearing for the Appellant, as stated above, the instant application filed by the Appellant stand disposed of reserving liberty to the Appellant to redress their grievances before the State Commission by filing necessary application if they so advise or need arises. All the contentions of the Appellant are kept open.

Order accordingly.

APPEAL No. 290 of 2015

Learned counsel appearing for the Appellant seeks permission to file written submissions in the instant appeal.

Submission made by learned counsel appearing for the Appellant, as state above, is placed on record.

Learned counsel appearing for the Appellant is permitted to file written submissions during the course of the day.

IA No.813 of 2018 in APPEAL No.297 of 2015– (for directions)

The prayer sought by the Learned counsel appearing for the Appellant in these IAs' are :-

- a) Allow the present Application permitting the Applicant/Appellant to withdraw "Ground 32" in the appeal and give liberty to the Applicant/Appellant to pursue the said issue before the State Commission with all questions being kept open;
- b) Pass such other order(s) and or/relief(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and in the interest of justice.

We have heard learned counsel appearing for the Appellant and the learned counsel appearing for the Respondent No.1.

Learned counsel appearing for the Appellant, at the outset submitted that the instant application filed by the Appellant for directions may kindly be disposed of reserving liberty to the Appellant to file necessary applications before the State Commission seeking the appropriate relief in the interest of justice and equity.

All the contentions raised in the instant Appeal may kindly be kept open.

The submission made by the learned counsel appearing for the Appellant, as stated above, is placed on record.

In the light of the submissions made by the learned counsel appearing for the Appellant, as stated above, the instant application filed by the Appellant stand disposed of reserving liberty to the Appellant to redress their grievances before the State Commission by filing necessary application if they so advise or need arises. All the contentions of the Appellant are kept open.

Order accordingly.

APPEAL No. 290 of 2015 & APPEAL No. 297 of 2015

List these matters for hearing on **08.10.2018**, as agreed by the learned counsel appearing for both the parties.

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

Bn/pr