

Court-II
Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA No. 480 of 2015 in Appeal No. 281 of 2015
& IA-460 of 2015

Dated : 22nd December, 2015

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. Amit Kapur,
Mr. Anupam Verma,
Mr. Vishal Anand,
Mr. Rahul Kinra &
Mr. Anurag Bansal (Rep) TPDDL

Counsel for the Respondent (s) : Mr. H.S. Phoolka, Sr. Adv. for R-3
Ms. Indira Jai Singh, Sr. Adv. For
GNCTD
Mr. Sumeet Pushkarna
Mr. Siddhartha Nagpal
Ms. Shilpa with Mr. Surendra Babbar

ORDER

Interlocutory Application No. 480 of 2015 in Appeal No. 281 of 2015 has been moved on behalf of the applicant/respondent no.3.

The first contention of the learned Sr. Advocate for the respondent no. 3, while arguing the said IA, is that Tariff of the distribution licensees has been increased by the DERC so far as pension is concerned. Learned counsel for the appellant objects to the said contention of the learned counsel for the applicant. To resolve this controversy, let a report be called from Delhi Electricity Regulatory

Commission within two weeks from today clearly specifying the fact as to whether the Tariff of the Distribution Licensees has been increased with respect to pension.

At this stage, the contention of the learned Sr. Advocate for the applicant/respondent no. 3 on I.A. No. 480 of 2015 is that some observations of the impugned order may be recorded herein to which we are not agreeable to as we are not here to cite some part of the impugned order at the interim stage and such type of requests cannot be legally entertained.

Mr. Amit Kapur, learned counsel appearing for the appellant accepts notice of I.A. No. 480 of 2015. Since the prayer in I.A. No. 480 of 2015 is for vacation of the interim order dated 8th December, 2015, we deem it proper to give some time to the appellant to file reply/objections to the said I.A. The said reply/objections be filed by 4th January, 2016 i.e. the first opening day after winter vacations.

List I.A. No. 480 of 2015 for hearing on **7th January, 2016.** I.A. No. 460 of 2015 be also listed for hearing on the said date wherein the interim order dated 8th December, 2015 has been passed by this Tribunal.

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member

rkt/vt