

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

Appeal No. 268 of 2015 & IA-433 of 2015

Dated: **9th February, 2016**

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

In the matter of:-

Surat Municipal Corporation **Appellant (s)**

Versus

Gujarat Electricity Regulatory Commission & Anr. **Respondent (s)**

Counsel for the Appellant(s) : Mr. I J Desai,
Mr. Ankit Swarup
Ms. Tanya Swarup

Counsel for the Respondent(s) : Ms. Suparna Srivastava
Mr. S R Pandey for GERC/R-1

Mr. H.S. Jaggi
Ms. Deepa Chawan for R-2

ORDER

Mr. I J Desai, learned Counsel appearing for the Appellant has substantially been heard today. The main grievance of the Appellant is with regard to Article 5 which is said to be beyond the scope of the model PPA. The Respondent No.2/M/s. Torrent Power Limited approached the State Commission with inclusion of Article-5 whereas the Article 5 had not been approved by the State Commission before passing the Impugned order.

The learned counsel for the State Commission as well as for the Distribution Licensee/M/s. Torrent Power Limited seeks some time to get the instructions from their respective clients for which they are granted two weeks' time and no more.

Post the matter on **26th February, 2016** for remaining arguments of the parties.

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member

hcj/vt