

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

E.P.-1 of 2016 and IA-59 of 2016 & 101 of 2016

Dated: **18th February, 2016**

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

In the matter of:-

D.P. Chirania & Anr. Appellant (s)

Versus

Rajasthan Electricity Regulatory Commission & Ors. Respondent (s)

Counsel for the Appellant(s) : Mr. D.P. Chirania

Counsel for the Respondent(s) : Mr. R.K. Mehta
Mr. Abhishek Upadhyay
Ms. Himanshi Andley for R-1

ORDER

We have perused our previous order, dated 4.2.2016. Mr. R.K. Mehta, learned counsel appearing for the Rajasthan Commission has filed the reply called-for by us from the Rajasthan Commission. According to him, the State Commission has not admitted the said petitions of the Discoms what to say of the acceptance of the tariff petitions. Mr. D.P. Chirania, appearing in person, has filed IA, being IA No. 101 of 2016, seeking impleadment of all the three distribution licensees of the State of Rajasthan giving the details and requirements for their impleadment in the said execution petition. We deem it proper, in the interest of natural justice, to allow the said impleadment application and direct the Appellant to implead all the three Discoms and file the amended memo of execution petition within one week.

Mr. D.P. Chirania, Execution Petitioner, shall serve upon the said distribution licensees for which dasti service is permitted. At this stage, Mr. Bipin Gupta, learned counsel appearing for all the three Discoms of Rajasthan, submits that there is no need to issue notice to them. He prays for and is granted one week time to file counter affidavit/reply to the said execution petition after serving copy on the other side. Mr. D.P. Chirania, may file his reply to reply in the shape of rejoinder within two weeks from today and not thereafter after serving copy on the other sides.

The proceedings before the State Commission initiated on the basis of the tariff petitions of the Discoms are hereby stayed because first we are supposed to ensure and see whether the distribution licensees of Rajasthan as well as the State Commission are really implementing our judgment in that regard in letter and spirit and then only we can give signal to the State Commission to proceed further.

Post this Execution Petition for hearing on 17th March, 2016.

(T. Munikrishnaiah)
Technical Member

vt/vg

(Justice Surendra Kumar)
Judicial Member