

COURT-I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**IA NO. 110 OF 2017 IN
APPEAL NO. 47 OF 2016**

Dated: 20th February, 2017

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. T. Munikrishnaiah, Technical Member**

In the matter of:-

Power Grid Corporation of India Ltd.

...Appellant(s)

Vs.

Central Electricity Regulatory Commission & Ors.

...Respondent(s)

Counsel for the Appellant(s)

:

Ms. Swapna Seshadri

Counsel for the Respondent(s)

:

Mr. R.B. Sharma for R-16

Mr. Pradeep Misra for R-11 to R-13

ORDER

The Applicant/Appellant has filed the instant appeal challenging the Impugned Order dated 27.11.2015 passed by Central Electricity Regulatory Commission (**“the Central Commission”**).

According to the Appellant, the Central Commission has in Petition No.69/TT/2016 and Petition No. 232/TT/2015 vide orders dated 22.08.2016 and 17.12.2015 respectively taken a different view from the view which it has taken in the Impugned Order. According to the Appellant that view is in favour of the Appellant.

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Counsel for the Appellant submits that the Appellant has, therefore, filed a petition for revision of tariff before the Central Commission. Counsel submits that the Appellant wishes to withdraw the present appeal as the Appellant wants to pursue the petition for revision of tariff, which it has filed before the Central Commission.

In the afore-stated circumstances, we permit the Appellant to withdraw the instant Appeal. Accordingly, the appeal is dismissed as withdrawn. The Appellant may prosecute the petition for revision of tariff which it has filed before the Central Commission, if it so desires. The Central Commission shall deal with the said petition independently and in accordance with law. We make it clear that we have not expressed any opinion on the merits of the case. Needless to say that the Appellant will be at liberty to come back to this Tribunal if the need so arises. If the Appellant files any such proceedings, it will be appropriately dealt with on all aspects.

IA No.110 of 2017 is disposed of in the aforestated terms.

(T. Munikrishnaiah)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

mk/ss