

**Court-II**

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Appeal No. 215 of 2014**

**Dated : 28<sup>th</sup> January, 2016**

**Present : Hon'ble Mr. Justice Surendra Kumar, Judicial Member  
Hon'ble Mr. I. J. Kapoor, Technical Member**

**In the matter of:**

**Vaayu (India) Power Corporation Pvt. Ltd. ...Appellant(s)  
Versus  
Andhra Pradesh Electricity Regulatory Commission & Ors. ...Respondent(s)**

Counsel for the Appellant : Mr. M. G. Ramachandran and Mr. Kumar  
Mihir

Counsel for the Respondent(s) : Mr. S. B., Upadhyay, Sr. Advocate and  
Ms.Mandakini Ghosh

**ORDER**

Mr. S.B.Upadhyay, learned Sr. Advocate for respondent Nos. 2, 4, 6 & 7 has argued substantially. This Appellate Tribunal while quashing the orders of the Commission had directed the State Commission to re-determine the tariff as per the directions given therein. It has been pointed out by the parties that it is the State Commission who is to argue mainly to defend the Impugned order whether the Commission could slash the control period just on the application of some party or could save some generating stations from the purview of the judgment of this Appellate Tribunal. The State Commission is directed to represent itself through some advocate or its officers as it likes on the next date of arguments and cooperate with the arguments. Rejoinder of the appellant will be held on the next date of hearing. Mr. S.B.Upadhyay has filed his written submissions today.

Post this matter for remaining arguments of the respondents on **04<sup>th</sup> February, 2016.**

**( I. J. Kapoor )  
Technical Member**

**( Justice Surendra Kumar )  
Judicial Member**

*sh/dk*