

**COURT-II**

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

**Appeal No. 290 of 2015 &  
I.A. No. 470 of 2015**

**Dated : 6<sup>th</sup> January, 2016**

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

**In the matter of:**

**BSES Yamuna Power Ltd.**

**.... Appellant(s)**

**Versus**

**Delhi Electricity Regulatory Commission**

**.... Respondent(s)**

Counsel for the Appellant (s)

:

Mr. Buddy A. Ranganadhan  
Mr. Hasan Murtaza  
Mr. Malvika Prasad  
Ms. Bhargavi  
Mr. Aditya

Counsel for the Respondent (s)

:

**ORDER**

Heard.

Admit.

Issue notice of the Appeal to all the respondents returnable within two weeks from today. Reply/counter affidavit be filed by the respondents within four weeks from today and rejoinder, if any, may be filed by the appellant within one week thereafter. Dasti service is permitted.

Since it is a Tariff Appeal, public notice is required to be issued as per rule.

There is an I.A. being no. 470 of 2015 moved on behalf of the applicant/appellant whereby exemption is sought from filing dim and illegible Annexures. The said I.A. is allowed subject to the conditions that clear and legible copy of the said Annexures be filed by the applicant/appellant later on.

There is another I.A. being no. 11 of 2016 praying therein for stay of the impugned order.

Heard.

The main ground of seeking stay of the impugned order is that some issues decided recently by the State Commission are covered by the judgment of this Appellate Tribunal and that therein some clarificatory application has been filed by the Delhi Commission which is pending adjudication before this Tribunal. At present, we do not find sufficient ground to grant stay of the impugned order.

At this stage, Mr. Buddy. A. Ranganadhan, learned counsel for the appellant is emphasizing to hear the said I.A. finally on merits even in the absence of opposite party without issuance of notice to them. Let notice of this I.A. be also issued to the respondents requiring them to file reply/objections. We will hear Mr. Buddy A. Ranganadhan, learned counsel for the appellant on this I.A. on the next date of hearing.

Post this matter for hearing on 1<sup>st</sup> March, 2016.

**(T. Munikrishnaiah)**  
**Technical Member**

rkt/dk

**(Justice Surendra Kumar)**  
**Judicial Member**