

COURT-II

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

APPEAL NO. 297 OF 2015

Dated : 6th January, 2016

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

In the matter of:

BSES Rajdhani Power Ltd.

.... Appellant(s)

Versus

Delhi Electricity Regulatory Commission

.... Respondent(s)

Counsel for the Appellant (s) : Mr. Buddy. A. Rangandhan
Mr. Hasan Murtaza
Mr. Malvika Prasad
Mr. Bhargav
Mr. Aditya

Counsel for the Respondent (s) : None.

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. 12 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 1st March, 2016.

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member

rkt/dk