

COURT-II

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

IA No. 480 of 2015 in Appeal No. 281 of 2015

&

IA No. 460 of 2015 and IA No. 9 of 2016

Dated: 7th January, 2016

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

In the matter of :

**The Tata Power Delhi Distribution Ltd.Appellant(s)
Versus
Delhi Electricity Regulatory Commission & Ors.Respondent(s)**

Counsel for the Appellant (s) : Mr.Amit Kapur,
Mr.Anupam Verma,
Mr. Vishal Anand,
Mr. Rahul Kinra &
Mr.Anurag Bansal (Rep) TPDDL

Counsel for the Respondent (s) : Mr. H.S. Phoolka, Sr. Adv.
for R-3
Mr. Sumeet Pushkarna
Mr. Siddhartha Nagpal
Ms. Shilpa with
Mr.Surendra Babbar for R-3
Mr. Nikhil Nayyar &
Mr. Dhanjay Baijal for R-1/DERC

ORDER

An affidavit dated 04.01.2016 has already been filed on behalf of the DERC. Para 10 of the said affidavit mentions as under:-

"10. It is therefore submitted on behalf of the Answering Respondent that whereas the actual amount of electricity tariff has not been increased, the amount to be released towards the Pension Trust has however been factored into the tariff of the Appellant. In other words,

the amount of Rs. 179.08 crore is being recovered as tariff by the appellant on account of dues to be paid to the Pension Trust.”

Mr. Amit Kapur, learned counsel for the appellant wants three days time to file objections/reply to the said affidavit of DERC clarifying the fact whether the amount to be released towards pension trust has been factored into the tariff of the appellant or the amount of Rs. 179.08 crore is being recovered by the appellant on account of dues to be paid to the pension trust.

Post both the IAs being no. 460 of 2015 & 480 of 2015 for hearing and disposal on **15th January, 2016.**

I.A. No. 09 of 2016 seeking impleadment/intervention has been moved today by Delhi State Electricity Workers Union. Let this I.A. be also fixed for hearing on the said date.

(T. Munikrishnaiah)
Technical Member
rkt/pr

(Justice Surendra Kumar)
Judicial Member