

COURT-II

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

**IA NOs. 486 & 318 OF 2015 IN
APPEAL NO. 186 OF 2015**

Dated : 8th January, 2016

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

In the matter of:

Tata Power Delhi Distribution Ltd. Appellant(s)

Versus

Delhi Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant (s) : Mr. Alok Shankar,
Ms. Nayantara Pande &
Mr. Anurag Bansal

Counsel for the Respondent (s) : Mr. Prashant Bezboruah for DERC

ORDER

I.A. No. 486 of 2015 has been filed by the appellant with the prayer that pending decision of this Appeal, the direction of the State Commission disallowing the actual power purchase costs from this gas based plant may be stayed. Thus, the appellant wants stay on this disallowance. Since the pleadings are already complete, we think it proper to decide the Appeal on merits rather than hearing both the parties at length just for the disposal of this I.A.

Both the parties are directed to argue the Appeal on merits. This I.A. shall be disposed of at the time of final disposal of the Appeal.

We have been told that this Appeal is already fixed for hearing on 11th February, 2016 for arguments. Accordingly, parties are directed to address their arguments on the said date.

Parties may file their respective written submissions after serving copy of the same on the other sides.

**(T. Munikrishnaiah)
Technical Member**

**(Justice Surendra Kumar)
Judicial Member**

rkt/dk