

Court-II
Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 281 of 2015 & IA Nos. 460 & 480 of 2015, 9, 30, 31, 32 & 75 of 2016

Dated : **17th March, 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. Vishal Anand,
Mr. Anupam Verma, Mr. Rahul Kinra and
Mr. Anurag Bansal

Counsel for the Respondent (s): Mr. H.S. Phoolka, Sr. Adv.
Mr. Sumeet Pushkarna,
Mr. Siddhartha Nagpal for R-3/Pension Trust

Mr. S.K. Chaturvedi
Mr. Malay Dwivedi for R-6/DTL

Mr. Matrugupta Mishra
Mr. Hemant Singh for DVB Engr's Association

Mr. Dhananjay Baijal
Mr. Nikhil Nayyar for R-1

ORDER

The order, dated 14.3.2016, passed by the Division Bench of Hon'ble Delhi High Court in W.P.(C) 296/2016 & C.Ms. No.1218/2016, 4961/2016, 4963/2016, 5055/2016 in the case of Manish Kumar vs. Govt. of NCT of Delhi & Ors. has been filed today. The Hon'ble High Court, in this order, has observed as under:

“We may it clear that the pendency of this petition shall not come in the way of the Appellate Tribunal for Electricity to proceed with the appeals/applications (Appeal No. 281/2015 & etc.) pending on its file.”

Now, it will be proper to hear the appeal on merits. Pleadings are said to be complete. On the earlier date i.e. 23.2.2016, the Appellant i.e. Tata Power was given 10 days time to come out with some solution for payment of pension, medical reimbursement, etc of the retired employees. The counsel for the parties are requested to please maintain peace and not create any kind of commotion in this court room so as to enable this court to hear these

matters patiently and peacefully. With the consent of the persons filing impleadment applications, it is made clear that all the impleaders in the said applications shall have an opportunity for hearing on the merits of the appeal. **In this light, all the IAs, being IA Nos. 9, 30, 31, 32 & 75 of 2016, seeking impleadment are hereby disposed of.**

A copy of the cause list of the Hon'ble Delhi High Court, dated 17.3.2016 (today itself) relating to Court No.5 in item no. 3 i.e. LPA 562/2013 along with other Civil Miscellaneous Application titled as 'Tata Power Delhi Distribution Power Limited vs. Smt. Rosy Jain and Ors. is shown as fixed for pronouncement of judgment at 2:15 PM.

On our query to this point, Mr. H.S. Phoolka, learned senior counsel submits that the matter of Smt. Rosy Jain and Ors does not relate to the matter in this appeal.

Since, the judgment in the Hon'ble Delhi High Court is fixed at 2:15 PM (today itself), the propriety demands that we should adjourn the hearing at least for today.

Post the matter for hearing on **1st April, 2016.**

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member

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