

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

Appeal No. 296 of 2015 & I.A. Nos. 477 & 478 of 2015,
I.A. Nos. 473 & 474 of 2015 in DFR No. 2430 of 2015,
I.A. No. 475 of 2015 in DFR No. 2377 of 2015 and
Appeal No. 21 of 2016

Dated : 11th March, 2016

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

In the matter of:

Appeal No. 296 of 2015 & I.A. Nos. 477 & 478 of 2015

Reliance Infrastructure Ltd. Appellant(s)
Versus
Maharashtra Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant (s) : Mr. J.J. Bhatt, Sr. Adv
Ms. Anjali Chandurkar
Mr. Hasan Murtaza

Counsel for the Respondent (s): Mr. C.S. Vaidyanatghan, Sr. Adv.
Mr. Abhishek Munot,
Mr. Akshat Jain for R-2/Tata Power

Mr. Buddy A. Ranganadhan
Mr. Venkatesh, Mr. Anuj P. Agarwala
Mr. Shashank Khurana

Mr. Harinder Toor, Mr. R. Dubhal,
Mr. R. D. Patsute for R-3/BEST
Mr. Siddhartha Agarwal for R-4

I.A. Nos. 473 & 474 of 2015 in DFR No. 2430 of 2015

Kamlesh Lalji Maglani Appellant(s)
Versus
Maharashtra Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant (s) : Mr. Salim A. Inamdar

Counsel for the Respondent (s): Mr. C.S. Vaidyanatghan, Sr. Adv.
Mr. Abhishek Munot,
Mr. Akshat Jain for R-2/Tata Power

Mr. Harinder Toor, Mr. R. Dubhal,
Mr. R. D. Patsute for R-3/BEST
Mr. Siddharth Agarwal
Mr. Buddy A. Ranganadhan
Mr. Venkatesh, Mr. Anuj P. Agarwala
Mr. Shashank Khurana

Mr. Hasan Murtaza for Reliance

I.A. No. 475 of 2015 in DFR No. 2377 of 2015

Harishchandra Yaswant Govalkar **Appellant(s)**
Versus
Maharashtra Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant (s) : Mr. Hemant Singh

Counsel for the Respondent (s): Mr. C.S. Vaidyanatghan, Sr. Adv.
Mr. Abhishek Munot,
Mr. Akshat Jain for R-2/Tata Power

Mr. Harinder Toor, Mr. R. Dubhal,
Mr. R. D. Patsute for R-3/BEST

Mr. Buddy A. Ranganadhan
Mr. Venkatesh, Mr. Anuj P. Agarwala
Mr. Shashank Khurana

Mr. Hasan Murtaza for Reliance

Appeal No. 21of 2016

Municipal Corporation of Greater Mumbai **Appellant(s)**
Versus
Maharashtra Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant (s): Mr. Harinder Toor, Mr. R. Dubhal,
Mr. R. D. Patsute for R-3/BEST

Counsel for the Respondent (s): Mr. C.S. Vaidyanatghan, Sr. Adv.
Mr. Amit Kapur
Mr. Abhishek
Mr. Kunal for R-2

Mr. Buddy A. Ranganadhan
Mr. Venkatesh, Mr. Anuj P. Agarwala
Mr. Shashank Khurana

Mr. Hasan Murtaza for R-3

ORDER

All the counsel for the rival parties, in these four matters, are present today and have been heard in the light of the order, dated 2.3.2016, of the Divisional Bench of Hon'ble Bombay High Court, in Writ Petition No. 2641 of 2014. Since, we have to enter into the merits of the impugned order and, further, in the light of the afore-stated order of the Hon'ble Bombay High Court, to see the legality or validity of the impugned order of the State Commission and to decide whether the applicants/appellants are really aggrieved persons or not and the same would entitle them to file these appeals. Entering into the merit is not proper particularly in the light of the order of the Hon'ble Bombay High Court because the observations made by the Hon'ble Bombay High Court are to be respected-to in letter and spirit.

Now, we deem it proper to hear all the rival parties on merits of the impugned order including maintainability at the admission stage itself. All the rival parties are directed to file their respective counter affidavit/reply on the merit of the impugned order within three weeks from today and rejoinder, if any, be filed within two weeks thereafter from today.

Post these matters for hearing at admission stage itself on 2nd May, 2016.

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member

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