

**COURT-II**

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

**IA No. 129 of 2016 in EP No.1 of 2016**

**&**

**IA Nos.59 of 2016, 101 of 2016, 127 of 2016 and 129 of 2016**

**Dated: 04<sup>th</sup> March, 2016**

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

**In the matter of:-**

**D.P.Chirania & Anr.**

**... Appellant(s)**

**Versus**

**Rajasthan Electricity Regulatory Commission & Ors.**

**... Respondent(s)**

Counsel for the Appellant(s) : Mr. D.P.Chirania, Retd. Chief Engineer  
cum Advisor to Rajasthan Commission

Counsel for the Respondent(s) : Mr. Raj Kumar Mehta, Mr. Abhishek  
Upadhyay for R.1, RERC  
Mr. M.G.Ramachandran, Mr. Bipin  
Gupta and Mr. Shubham Arya for Resp.  
Nos.2 to 4

**ORDER**

**IA No.127 of 2016** in Execution Petition No. 1 of 2016, titled as *D.P.Chirania & Anr. Vs. Rajasthan Electricity Regulatory Commission & Ors* has been moved on behalf of the Rajasthan DISCOMs, Respondent Nos. 2 to 4, along with Affidavit, requesting that DISCOMs are now in a possession of the whole data to be filed before the State Commission and the said data, running into 3 volumes, a voluminous one, and the DISCOMs be given liberty to file the said data before the State Commission so as to enable the State Commission to proceed with the Tariff Petitions, already filed before the State Commission. Further prayer is that the said order dated 18.02.2016, granted by this Appellate Tribunal, should be vacated and a positive direction be given to the State Commission to proceed with the matter.

The appellant, D.P.Chirania, is present and has no objection in filing of the said data before the State Commission to enable it to proceed further with the Tariff Petition by the DISCOMs.

In this view of the mater, **the order of stay of proceeding before the State Commission, passed by us on 18.02.2016, is hereby vacated** and the State Commission is directed to take on record the whole data to be filed by the DISCOMs and to see whether complete information, as per our earlier judgment, is made available by the DISCOMs or not. Our purpose is to see the compliance of our earlier judgment in letter and spirit for which we hope and trust that the State Commission will take necessary steps. ***In this light, IA No. 127 of 2016 is hereby disposed of.***

Another IA, being **IA No.129 of 2016**, filed by the DISCOMSs, respondent, prays for an early hearing. IA No. 127 of 2016 has become infructuous as the IA No. 127 of 2016 has today been disposed of. Hence, this **IA No. 129 of 2016 is rejected, being infructuous.**

As fixed earlier (on 18.02.2016), post E.P. No.1 of 2016 & IA Nos.59 of 2016 and 101 of 2016 for hearing on **17<sup>th</sup> March, 2016.**

**( T. Munikrishnaiah )**  
**Technical Member**

**( Justice Surendra Kumar )**  
**Judicial Member**

sh/kt