

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

R.P. 4 of 2016 & IA-147 of 2016 in A.No. 255 of 2013

Dated : **23rd March, 2016**
Present : **Hon'ble Mr. Justice Surendra Kumar, Judicial Member**
Hon'ble Mr. T. Munikrishnaiah, Technical Member

In the matter of:-

Delhi Transco Ltd.	Appellant(s)
Versus		
Delhi Electricity Regulatory Commission & Ors.	Respondent(s)
Tata Power Delhi Distribution Ltd.	Review Petitioner/R-4

Counsel for the Appellant(s): Mr. Amit Kapur, Mr. Vishal Anand
Mr. Rahul Kinra, Advocates and
Mr. Anurag Bansal Rep. for Review Petitioner/TPDDL

Counsel for the Respondent(s): None

ORDER

IA-147 of 2016 in R.P. No. 4 of 2016

IA, being IA No. 147 of 2016 in R.P. No. 4 of 2016, has been moved seeking exemption from filing certified copy of this Appellate Tribunal's order. Exemption is granted. **IA, being IA No. 147 of 2016, is hereby disposed of.**

R.P. 4 of 2016 in A.No. 255 of 2013

R.P. 4 of 2016 in A.No. 255 of 2013 has been filed on behalf of TPDDL/Respondent No.4 in Appeal No. 255 of 2013, drawing our attention to para 60.3 of our judgment, dated 1.2.2016. In the said Appeal, being Appeal No. 255 of 2013, para 60.3 reads as under:

“60.3 In our opinion, after going through the submission of the Commission in the Impugned Order, the Commission's decision to contribute pension fund a lump-sum amount of Rs. 400 crore in the ARR is justifiable.

Further, this Tribunal also feels that the parties to the discussion for transfer of management of funds of pension trust to LIC of India should work out the modalities and should sort out the technical, legal and financial issues involved in such a transfer at the earliest, to avoid adhoc provision of this nature.”

We deem it proper to issue notice to the opposite parties requiring them to file reply to the Review Petition within three weeks from today and rejoinder submission, if any, within 2 weeks thereafter. Dasti service is permitted.

Post this Review Petition, being R.P. No. 4 of 2016 in Appeal No. 255 of 2013, for hearing on **16th May, 2016.**

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member