

COURT - I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**IA NO. 157 OF 2017 IN
APPEAL NO. 206 OF 2016**

Dated: 16th March, 2017

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of :

M/s NOIDA Power Co. Ltd. ...Appellant(s)

Vs.

Uttar Pradesh Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant(s) : Mr. M. G. Ramachandran
Mr. Vishal Gupta
Mr. Kumar Mihir

Counsel for the Respondent(s) : Mr. C. K. Rai
Mr. Umesh Prasad for R.1

Mr. Vivek Narayan Sharma
Mr. Sidharth Mahajan for R.5

Mr. Sunil Kumar Rai
Mr. Altaf Mansoor
Mr. Puneet Chandra

ORDER

**IA NO. 157 OF 2017
(Appl. for interim relief)**

In this application, the following prayer is made.

“ Allow Respondent No.5 and/or Metro Rail Corporation to carry out construction at village Jaitpur to replace 3 spans of overhead line into underground line.”

We have heard learned counsel for the parties. By Order dated 02.02.2017, we have already fixed the matter for hearing on 12.04.2017.

Hence, in our opinion, no order need be passed on this application as of today. Mr. M.G. Ramachandran, learned counsel appearing for the appellant states that Respondent No.5 may remove the polls near the DMRC railway track. However, it should not carry out any construction activities.

In view of this statement, we feel that Respondent No.5 if it so desires may remove the polls, but it shall not carry out any construction activities. Application is disposed of.

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We took up the matter for hearing with the consent of the parties and heard it for some time. Learned counsel for the appellant states that he will be filing rejoinder by 20.03.2017. He may file the same after serving copy on the other side.

List the matter for further hearing on **12.04.2017.**

(I. J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/sh