

Court-I

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

**Appeal No. 80 of 2014 &
IA No. 149 of 2014 & IA No. 151 of 2014**

Dated: 16th November 2015

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. T. Munikrishnaiah, Technical Member**

In the matter of:-

Education Research & Development Foundation Appellant (s)
Versus	
Central Electricity Regulatory Commission & Ors. Respondent (s)

Counsel for the Appellant(s) : Mr. Ambar Qamaruddin

Counsel for the Respondent(s) : Mr. M.G. Ramachandran
Mr. Vishal Gupta
Mr. Kumar Mihir for R-2

Mr. Panchajanya Batra Singh for MoE

ORDER

We have heard learned counsel for the parties.

Learned counsel for the Central Govt. (MoE) has submitted a letter dated 23.10.2015 addressed to the Additional Director General of Forest, Govt. of India, Ministry of Environment & Forest and Climate Change, New Delhi by Chief Conservator of Forest. The relevant portion of the said letter is as under:-

“Since, the RIST has occupied the forest land without prior permission under FC Act 1980 from the Central Government the action of the RIST amount to violation of the

FC Act 1980 and the Hon'ble Supreme Court Judgment dated 12.12.1986 in WB (C) No.202/1995".

Learned Counsel for the Appellant seeks time to obtain instructions. At his instance, the matter is adjourned to 30.11.2015.

Affidavit of Mr. Ambar Qamaruddin dated 16.11.2015 is taken on record. We are informed that copy of this affidavit has been served on the counsel for the respondents.

List the matter on **30.11.2015**.

**(T. Munikrishnaiah
Technical Member**

Pr/ss

**(Justice Ranjana P. Desai)
Chairperson**