

Court-II

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

Appeal Nos. 111 of 2015 & 112 of 2015

Dated: 28th October, 2015

**Present: Hon'ble Mr. Justice Surendra Kumar, Judicial Member
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of:-

Global Energy Pvt. Ltd.

...Appellant(s)

Versus

Maharashtra Electricity Regulatory Commission & Ors.

...Respondent(s)

In Appeal No. 111 of 2015

Counsel for the Appellant(s) : Mr. Hemant Singh,
Mr. Tushar Nagar,
Ms. Meghna Agarwa

Counsel for the Respondent(s) : Mr. Aman Lekhi, Sr. Adv. &
Mr. D.L. Chidnanda for PCKL
Mr. M.Y. Deshmukh for MSETCL

In Appeal No. 112 of 2015

Counsel for the Appellant(s) : Mr. Hemant Singh,
Mr. Tushar Nagar,
Ms. Meghna Agarwal

Counsel for the Respondent(s) : Mr. Aman Lekhi, Sr. Adv. &
Mr. D.L. Chidnanda for PCKL
Mr. M.Y. Deshmukh for R-3
Mr. M.G. Ramachandran,
Mr. Udit Gupta &
Mr. Nirav Shah for R-2.

ORDER

These two Appeals being Nos. 111 of 2015 & 112 of 2015 are today fixed for hearing.

Mr. M.G. Ramachandran, learned counsel appearing for respondent no.2 in Appeal No. 112 of 2015 has today filed a document captioned as "*Standby Power Agreement*" and at paragraph 11 thereof, the parties have agreed as under: -

"11. GEPL hereby agrees to withdraw unconditionally the Appeal Nos. 111 and 112 of 2015 presently pending before the Hon'ble ATE."

Since as per the Agreement of the parties, both these Appeals are to be withdrawn unconditionally and there is no dispute between the rival parties regarding execution of this document. This document is accordingly accepted and both the Appeals being Nos. 111 of 2015 & 112 of 2015 are hereby ordered to be withdrawn. However, there is no order as to costs.

So far as I.A. No. 400 of 2015 in Appeal No. 111 of 2015 and I.A. No. 399 of 2015 in Appeal No. 112 of 2015 seeking impleadment on behalf of Power Company of Karnataka Ltd. and Bangalore Electricity Supply Company Ltd. as respondents in these Appeals is concerned, the same are already on record of these Appeals. Since the main Appeals have been ordered to be withdrawn and there remains no substance now in allowing the aforesaid Impleadment Applications. In view of above, the aforementioned interim applications (IAs) are hereby disposed of as being infructuous.

(I.J. Kapoor)
Technical Member
rkt/vg

(Justice Surendra Kumar)
Judicial Member