

**COURT-I**

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

**IA NOS. 401 & 402 OF 2015 IN  
DFR NO. 2068 OF 2015**

**Dated : 16<sup>th</sup> October, 2015**

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

**In the matter of :**

**Harishchandra Yaswant Govalkar  
Vs.**

**.... Appellant (s)**

**Maharashtra Electricity Regulatory Commission & Ors.**

**.....Respondent (s)**

Counsel for the Appellant(s)

: Mr. Hemant Singh  
Mr. Tabrez Malawat  
Mr. Tushar Nagar  
Mr. Meghana Aggarwal  
Mr. Matrugupta Mishra

Counsel for the Respondent(s)

: Mr. Parag Tripathi, Sr. Adv.  
Mr. Buddy A. Ranganadhan  
Mr. S. Venkatesh  
Mr. Anuj P. Agarwala  
Mr. Shashank Khurana for R.1

**ORDER**

The Applicant/Appellant claims to be a consumer of electricity in the city of Mumbai. In this Appeal, the Applicant/Appellant has challenged the Order dated 22.09.2015 passed in Case No. 182 of 2014 by the Maharashtra Electricity Regulatory Commission (for short "State

Commission”). By the impugned Order, the State Commission has reserved the order.

We must note that the Applicant/Appellant has filed an application seeking leave to file the appeal and an application praying for waiver of court fee. We have not considered the merits of these applications. At this stage, learned counsel for the Applicant/Appellant states that the grievance of the Applicant/Appellant is that the State Commission has not given hearing to the Applicant/Appellant. Counsel states that he has instructions to withdraw the appeal and approach the State Commission requesting the State Commission to give the Applicant/Appellant a hearing. The Applicant/Appellant, if so advised, may do so. Needless to say that in case such an application is filed the State Commission shall consider the same in accordance with law. The State Commission shall consider all issues including the maintainability of such application. However, we make it clear that we have expressed no opinion on any aspect of the case including the aspect of maintainability.

The appeal is allowed to be withdrawn.

**(I.J. Kapoor)**  
**Technical Member**

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

Ts/dk