

Review Petition No. 28 of 2007  
in Appeal No. 47 of 2007

deposited with the Karnataka High Court( when the appeal against the Commission's order was filed in the Karnataka High Court) without going into legal disputes raised and the review petitioner said that he did not press his claim for interest. This Tribunal ordered :

*" In view of the above we feel it appropriate to conclude the matter here by allowing the respondent to withdraw the amount in deposit with the Karnataka High Court as offered by the appellant and accept the amount in full and final settlement of its claim in respect of the aforesaid deposits."*

2) The review petitioner alleges that there is error apparent on the face of the record and the order dated May 16, 2007 calls for a review. We have heard the two parties on the review petition.

3) The entire order dated May 16, 2007 has been read out. The Review Petitioner says that there is an error apparent in the first paragraph of the order dated May 16, 2007 wherein this Tribunal has held that *"the question of jurisdiction of the Commission to go into the dispute between the parties is also a substantial question of law."* He maintains that the Commission has a power to go into the dispute. This does not make the above sentence erroneous. This is not an error apparent. The main ground of the appeal was that the Commission did not have the jurisdiction to adjudicate upon the dispute between the respondent (Review Petitioner herein) and the utility and hence we mentioned the question and observed that it was substantial question of law.

4) The second error pointed out in the order is about the liability to pay interest. He says that it is an error because he was entitled to interest. He claims to be entitled to interest in law as well as under the rules binding

the respondent-appellant utility. This cannot be treated as an error apparent warranting a review. He does not dispute that he did not press his claim for interest on May 16, 2007 before this Tribunal which led this Tribunal to pass the order. The review petitioner is today armed with various legal provisions to justify his claim for interest. However, it is beyond the scope of review to go into the question of petitioner's entitlement to interest in law or under the rules and regulations governing utilities.

5) No error apparent in the order dated May 16, 2007 has been pointed out and accordingly no relief can be given to the Review Petitioner.

6) The Review Petitioner has sent a cheque of Rs.1,78,292/- to be kept safe with the Registrar of this Tribunal. This cheque was sent on the Review Petitioner's own volition and without there being any directions in this regard from this Tribunal; the cheque may now be returned to the Review Petitioner.

Accordingly, the *Review Petition is dismissed*, leaving the parties to bear their own costs.

**( Manju Goel )**  
**Judicial Member**

**( A. A. Khan )**  
**Technical Member**