

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

Appeal No. 111 of 2011 & I.A. No. 180 of 2010

Dated: 19th July, 2012

**Present : Hon'ble Mr. Justice P.S. Datta, Judicial Member
Hon'ble Mr. V. J. Talwar, Technical Member**

In the matter of:

M/s. Kalyanpur Cement Ltd.

... Appellant (s)

Versus

Bihar Pradesh Electricity Regulatory Commission & Anr. ... Respondent (s)

Counsel for the Appellant (s) :

**Counsel for the Respondent (s) : Mr. M.D. Samuel Haque for R-1.
Mr. Mohit Kr. Shah & Ms. Shilpi
Shah for BSEB.**

ORDER

Learned advocate for the appellant by furnishing a copy of the combined judgment in Appeal Nos. 14 of 2011, 26 of 2011 and 27 of 2011 rendered by Division Bench of this Tribunal on 10th May, 2012 submits that the points raised in Appeal No.111 of 2011 stand decided and covered by the judgment as referred to above, and accordingly, on this ground, he wants to have Appeal No.111 of 2011 withdrawn. Learned advocates for the Commission and the Bihar Electricity Regulatory Commission do not raise any objection.

Upon hearing the learned counsel for all the parties, we allow the prayer and accordingly Appeal No.111 of 2011 stands withdrawn. No order as to cost.

**(V.J. Talwar)
Technical Member**

**(P.S. Datta)
Judicial Member**