

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

**Appeal No. 40 of 2013 &**  
**I.A. No. 59 of 2013**

**Dated : 18<sup>th</sup> April, 2013**

**Present:   Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson**  
**Hon'ble Mr. Rakesh Nath, Technical Member**

|  |                           |
|--|---------------------------|
| <b>Silvassa Industries Association</b>         | <b>.... Appellant (s)</b> |
| <b>Versus</b>                                  |                           |
| <b>Joint Electricity Regulatory Commission</b> |                           |
| <b>&amp; Anr.</b>                              | <b>...Respondent (s)</b>  |

**Counsel for the Appellant(s):**           Mr. Sakesh Kumar

**Counsel for Respondent (s):**           Mr. Anand K. Ganesan for R-2  
  Mr. Ankit Jain for JERC  
  Mr. Rajeev Amit, Dir. (Engg.) &  
  Mr. Anish Garg, Dir. (Finance) for JERC

**ORDER**

We have heard the learned counsel for the Appellant as well as the Respondents.

Instead of going through the maintainability question, we feel that the main question relating to exercise of power by the State Commission regarding relaxation of the Regulation in question may be gone into in final disposal of this Appeal.

The learned counsel for the Respondents seek sometime to file reply. They are directed to file reply on or before 10<sup>th</sup> May, 2013 after serving copy on the other side.

Post the matter on **10.05.2013** for hearing.

**(Rakesh Nath)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**