

COURT-I

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

Appeal No.152 of 2013

Dated : 23rd April, 2014

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

Kalyanpur Cement Ltd. ... Appellant(s)

Versus

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

**Counsel for the Appellant (s) : Mr. Amit Kpaur
Mr. Apoorva Misra
Ms. Radhika Gupta**

**Counsel for the Respondent (s): Mr. Mohit Kr. Shah for R.2
Mr. Nand Sharma (Rep.) for BERC**

ORDER

Earlier it was represented by the learned counsel for the Respondent that the issues raised in this Appeal are already covered by the Judgment in Appeal No. 103 of 2013 dated 11.03.2014.

On the last occasion, the learned counsel for the Appellant sought for some time for verifying the said statement made by the Respondent. Accordingly, the time has been granted and the matter has been posted today.

Today, it is submitted that out of the three issues, two issues are covered and one issue is not covered by the Judgment in Appeal No. 103 of 2013.

It is noticed that the Judgment in Appeal No. 103 of 2013 was rendered by Court – II. Hence as requested by the learned counsel for the Appellant, post this matter before **Court-II** for considering the said question on **27.05.2014.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

Ts/js