

**COURT-I**

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

**DFR No. 1777 of 2014**

**Dated : 21<sup>st</sup> August, 2014**

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

**In the matter of**

**Paschim Gujarat Vij Company Ltd. ... Appellant(s)**

**Versus**

**Gujarat Electricity Regulatory Commission & Ors. .... Respondent(s)**

**Counsel for the Appellant(s) : Mr. Anand K.Ganesan  
Ms. Swapna Seshadri**

**ORDER**

This Appeal has been filed challenging the Letter dated 04.06.2014 directing the Appellant to strictly follow the guidelines issued under Letter dated 14.05.2014.

According to the learned counsel for the Appellant these guidelines would not be applicable to the Appellant and hence the direction given by the State Commission is wrong.

We are not inclined to entertain this Appeal at this stage since the State Commission itself in the Letter dated 04.06.2014 observed that the Appellant is at liberty to approach the State Commission as

provided in Clause 45 of the Open Access Regulations if there is any difficulty in giving effect to the guidelines.

If the Applicant feels that the guidelines would not be applicable to him it would be appropriate to direct the Applicant to file an Application before the State Commission contending that these guidelines would not be applicable to him. Accordingly directed. The Applicant shall file such an Application within 10 days. In such an event, the State Commission may entertain such an Application and hear the parties concerned and pass an Order in accordance with Law through the reasoned Order as expeditiously as possible.

With these observations, this Appeal is disposed of.

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

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

ts/kt