

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

**D.F.R. No. 2207 of 2012**

**Dated : 2<sup>nd</sup> January, 2013**

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

**M/s Rathi Steels & Power Ltd. & Ors. .... Appellant (s)**

**Versus**

**Uttar Pradesh Electricity Regulatory Commission & Ors.**  
**...Respondent (s)**

**Counsel for the Appellant(s): Mr. B.C. Rai**  
**Mr. Gaurav Agarwal**

**ORDER**

Questioning the maintainability, the matter has been posted on the objection raised by the Registry.

There are four Appellants in this Appeal. As far as the Appellants Nos. 1 to 3 are concerned, they were the parties in the proceedings before the Commission and they filed their objections before the State Commission and the same have been considered and the impugned Order has been passed by the Commission.

As far as fourth Appellant is concerned, he was not the party to the proceedings before the Commission, but now claiming himself as an aggrieved person has filed this common Appeal along

with other three Appellants i.e. 1 to 3, who were parties before the State Commission.

This, in our view, is not permissible in law and as such we do not entertain his Appeal. Therefore, the fourth Appellant is at liberty to file a separate Appeal as against the impugned Order as an aggrieved person.

The Registry is directed to number the Appeal only with regard to the Appellant Nos. 1 to 3 and post for Admission on **18.01.2013**.

**(Rakesh Nath)**  
**Technical Member**  
**ts/vs**

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