

**COURT-II**

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

**Appeal no. 238 of 2013 &  
IA No. 326 of 2013**

**Dated : 12<sup>th</sup> December, 2013**

**Present: Hon'ble Mr. Rakesh Nath, Technical Member  
Hon'ble Mr. Justice Surendra Kumar, Judicial Member**

**In the matter of**

**Mahendra Gupta & Ors. ... Appellant(s)  
Versus  
Delhi Electricity Regulatory Commission & Ors. ... Respondent(s)**

**Counsel for the Appellant (s) : Mr. Sudhir Nandrajog, Sr. Adv.  
Mr. V.K. Goel**

**Counsel for the Respondent (s): Mr. Raj Kumar Mehta  
Mr. Antaryami Upadhyay  
Ms. Ishita C. Dasgupta  
Mr. Sumeet Pushkarma  
Mr. S.K. Chaurvedi for R-2.  
Mr. Ajay Kapoor and  
Mr. Anurag Bansal for Tata Power**

**ORDER**

Shri Rakesh Nath, Technical Member brought to the notice of all the parties that he would like to be excused from hearing the matter as one of his blood relations is employed with the Respondent no.4. The Learned Counsel for the Appellants as well as the Learned Counsel for the Respondents wanted the Bench to hear the matter as they had no objection to Shri Rakesh Nath being a Member of the Bench hearing this matter. As the second post of the Technical Member is vacant at the moment and there is no possibility of transferring the matter to the other Bench, we are continuing with the hearing of the matter.

:2:

Heard Learned Counsel for the Appellant for some time. He is directed to file a copy of the judgment of the High Court with regard to retirement benefit liability of the employees of the erstwhile DVB.

Post the matter for further hearing on **3.1.2014**.

**(Justice Surendra Kumar)**  
**Judicial Member**

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

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