

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

**Appeal No. 74 of 2011&
I.A.No. 118 of 2011**

Dated: 14th December, 2011

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. V.J. Talwar, Technical Member**

**Northern Railway
Versus
P.S.E.R.C. & Anr.**

**.... Appellant (s)
...Respondent (s)**

Counsel for the Appellant(s): Ms. Geetanjali Mohan

Counsel for Respondent (s): Mr. K. Mahalik for R.2

ORDER

The issue raised in this Appeal has already been decided by this Tribunal, as pointed out by the learned counsel for the Appellant, in Appeal Nos. 148 of 2007 & 124 of 2008 dated 28.04.2010 and the matters were remanded back for re-consideration. It is not disputed that the decision taken in that Judgment by this Tribunal would apply to the present case also.

Accordingly, the impugned Order is set aside and the matter is remanded to the Commission for re-consideration and to decide the issue in accordance with the directions given by this

Tribunal in Appeal Nos.148 of 2007 and 124 of 2008 dated 28.04.2010.

With these observations, the Appeal is disposed of.

(V.J. Talwar)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

TS/MK