

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

**IA No. 266 of 2011 IN
DFR No. 1468 of 2010**

Dated: 8th December, 2011

**Present : Hon'ble Mr. Rakesh Nath, Technical Member
Hon'ble Mr. Justice P.S. Datta Judicial Member**

Maruti Suzuki India Limited Appellant (s)

Versus

Haryana Electricity Regulatory Commission ...Respondent(s)

**Counsel for the Appellant (s) : Mr. M.G. Ramachandran
Mr. Rakesh Agarwal
Mr. Anand K. Ganesan
Ms. Swapna Seshadri
Ms. Sneha V.**

**Counsel for the Respondent(s) : Ms. Surbhi Sharma
Mr. S.S. Kentura & Mr.
Mr. Piyush Arora, Consultant**

ORDER

There is delay of 79 days in filing the present appeal. We are convinced with the reasons given by the appellant in the application for condonation of delay. Accordingly, delay of 79 days in filing the present appeal is hereby condoned. We also admit the appeal. The Registry is directed to number the appeal.

The appellant has also filed IA No. 280 of 2011 for stay of the impugned order dated 25.07.2011 regarding the cross-subsidy

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surcharge imposed on the appellant and stay of Section 142 proceedings initiated by respondent no.2 before the State Commission. Ms. Surbhi Sharma, learned counsel appearing on behalf of the State Commission, informs that the Commission is not going to proceed with the proceedings under Section 142 till the hearing on the appellant's application before the Tribunal is completed.

Mr. S.S. Kentura and Mr. Piyush Arora, Consultants appear on behalf of the distribution licensee/respondent no.2. Respondent no.2 seeks four weeks' time to file reply. Accordingly, they are directed to file reply by 6th January, 2012 after serving a copy of the same on the other side.

Post the matter on **9th January, 2012.**

In the meantime, the appellant is at liberty to file rejoinder, if any.

(P.S.Datta)
Judicial Member

(Rakesh Nath)
Technical Member

rkt/ks