

COURT-II

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

**Review Petition No. 16/13
In
Appeal No. 166 of 2012**

Dated : 5th February, 2014

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

**Delhi Transco Ltd. ... Review Petitioner/
Appellant (s)**

Versus

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

Counsel for the Review Petitioner (s): Mr. Anand K. Ganesan
Ms. Swapna Seshadri

Counsel for the Respondent(s) : Mr. Meet Malhotra, Sr. Adv.
Mr. Ravi S. Chauhan
Mr. Prateek Dahiya
Mr. Pallak Singh
Ms. Shagun Jain

ORDER

It has been stated by the learned counsel for the Review Petitioner/appellant that in the judgment in Appeal No. 166 of 2012 this Tribunal has upheld the finding of the State Commission in the impugned order regarding the closing debt of financial year 2006-07 of Rs. 591.68 crore. It has been pointed out by the learned counsel for the Review Petitioner/appellant that in the subsequent tariff order dated 31.07.2013 the State Commission has taken the closing debt for financial year 2006-07 as

:2:

Rs.532.48 crore which was the contention of the appellant in the appeal. Thus, a discrepancy has crept in regarding closing debt for FY 2006-07 in the two tariff orders of the State Commission.

We have heard the learned senior counsel for the State Commission.

We have noticed the discrepancy in figure of closing debt of Delhi Transco as approved by the State Commission in the impugned order which was upheld by this Tribunal and as adopted in the subsequent tariff order dated 31.07.2013.

We direct the State Commission to look into the matter and resolve the discrepancy without being influenced by the findings of this Tribunal in the judgment dated 10.10.2013 upholding the figure adopted by the State Commission in the impugned order. The Review Petition is disposed of accordingly.

(Justice Surendra Kumar)
Judicial Member

rkt

(Rakesh Nath)
Technical Member