

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

R.P. No. 01 of 2013 &
I.A. No. 54 of 2013 in
Appeal No. 46 of 2012

Dated : 8th February, 2013

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

M/s. Karam Chand Thapar & Bros.
(Coal Sales) Ltd.

... Appellant(s)

Versus

M/s. M.P. Power Trading Co. Ltd. & Anr.

... Respondent(s)

Counsel for the Appellant(s) : Mr. Ravi Sikri
Mr. M.K. Shah

Counsel for the Respondent(s): Mr. Manoj Dubey for R.1
Mr. C.K. Rai
Mr. Ravin Dubey for R.2

ORDER

This Review Petition is filed as against some portions of the findings given by us in Appeal No. 46 of 2012, which was disposed of on 11.10.2012.

We have heard the learned counsel for the parties.

In Para Nos. 70 and 71 of the Judgment, we have referred to the conduct of the Appellant stating that the Appellant has suppressed the material facts by not placing before this Tribunal the relevant document.

However, in the Review Petition, the learned counsel has given some explanation for omitting to refer the said document. Even during the course of arguments, the learned counsel said that it was a sheer mistake and it was neither deliberate nor intentional.

While accepting the explanation, we deem it appropriate to expunge the remarks contained in Para Nos. 70 and 71 of the Judgment in Appeal No. 46 of 2012. Accordingly expunged.

With the above observations, the Review Petition is disposed of.

The Registry is directed to issue the modified Order.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vs