

COURT-I

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

DFR Nos. 1819 & 1820 of 2014

Dated : 31st July, 2014

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

Powergrid Corporation of India Ltd. Appellant(s)

Versus

**Karnataka Power Transmission Corporation
Ltd. & Ors. Respondent(s)**

**Counsel for the Appellant(s) : Mr. S.B. Upadhyay, Sr. Adv.
Ms. Anisha Upadhyay
Mr. Kaustav Pathak**

**Counsel for the Respondent(s) : Mr. Raj Kumar Mehta
Ms. Kamaljit Kaur
Ms. Ishita for R.8**

ORDER

We have heard the learned counsel for the parties.

These Appeals have been transferred from the Hon'ble High Court of Delhi for disposal by this Tribunal. But now it has been pointed out by one of the parties that the Hon'ble Supreme Court in ***Himachal Pradesh State Electricity Regulatory Commission & Anr. Vs. Himachal Pradesh Electricity Board*** reported in (2014 (5) SCC 219) has held that when the Appeal had been filed before

the High Court under Section 27 of 1998 Act, that Appeal must be heard and decided by the High Court.

Therefore, it would be better that the parties can approach the Hon'ble High Court to get clarification with reference to the issue after pointing out the Judgment in ***Himachal Pradesh State Electricity Regulatory Commission & Anr. Vs. Himachal Pradesh Electricity Board (2014 (5) SCC 219)***.

Post these matters on **04.09.2014** for passing further Order after getting clarification from the Hon'ble High Court.

(Rakesh Nath)
Technical Member
Ts/js

(Justice M. Karpaga Vinayagam)
Chairperson

Note: Registry is directed to give dasti of the Order.