

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA No. 197 of 2013 in IA No. 145 of 2013
in DFR No. 771 of 2013,

Dated : 6th June, 2013

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

M/s. Vianney Enterprises

.... Appellant(s)

Versus

**Kerala State Electricity Regulatory
Commission & Anr.**

... Respondent(s)

Counsel for the Appellant(s) : Mr. Sumeet Lall
Mr. Ujjal Banerjee

Counsel for Respondent (s) :

ORDER

(IA No. 197 of 2013 in IA No. 145 of 2013 – For stay)

We have heard the Learned Counsel appearing for the Applicant/Appellant.

In our view the IA no. 197 of 2013 seeking for the stay of the operation of the impugned order pending disposal of the Appeal is not maintainable since the Appeal is not yet numbered and admitted. Admission of the Appeal would be considered only after the Petition for condonation of delay is ordered. Therefore, this application is dismissed.

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However, it is open to the Applicant/Appellant to file a separate Application to advance the hearing of the Application of condonation of delay in IA no. 145 of 2013 which is listed on 04.07.2013 to an earlier date to enable us to pass the consequential order after hearing the petition.

If such an Application is filed in the meantime, Registry is directed to post the same on **12.06.2013** for hearing before the Vacation Bench. The Applicant is directed to send this information to the Respondents.

(V.J. Talwar)
Technical Member
sm/mk

(Justice M. Karpaga Vinayagam)
Chairperson