

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 174 of 2011 &
I.A. No. 261 of 2011

Dated : 9th November, 2011

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

Devbhoomi Dharamshala Prabhandak Sabha **... Appellant(s)**

Versus

Uttarakhand Electricity Regulatory Commission & Anr. **...Respondent(s)**

Counsel for the Appellant(s): Mr. T.N. Bhardwaj

ORDER

This Appeal is filed as against a retail tariff Order in respect of the year 2010-2011. It is noticed that already the Appellant has gone to High Court against the Order and ultimately the High Court dismissed the writ petition giving liberty to the Appellant to file the Appeal before this Tribunal.

Accordingly, this Appeal has been filed with an Application to condone the delay. Delay has been condoned and the matter has been posted for Admission.

On noticing the fact that the tariff period relating to the year 2010-2011 is already expired, we do not want to go into the merits

of the matter at this belated stage. It is also brought to our notice that the tariff proceedings are over in respect of the year 2011-2012 also. As the tariff for the year 2011-2012 has been decided, we feel that liberty be given to the Appellant to raise the similar objection raised in this Appeal before the Commission in the tariff proceedings to be initiated in respect of the year 2012-2013. Accordingly, the liberty is given to raise these objections before the State Commission after publication of the Public Notice.

If those objections are raised by the Appellant at that stage, the State Commission will consider the same and pass appropriate orders in accordance with law.

With these observations the Appeal is disposed of.

(Rakesh Nath)
Technical Member

(Justice M. KarpagaVinayagam)
Chairperson

TS/SS

Note: Copy of the Order
be given dasti.