

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 269 of 2013 &
IA No. 363 of 2013

Dated : 20th November, 2013

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

Orissa State Load Despatch Centre ... Appellant(s)
Versus

M/s. Aarti Steels Ltd. & Ors. ...Respondent(s)

Counsel for the Appellant (s) : Mr. Raj Kumar Mehta
Mr. Antaryami Upadhyay

Counsel for the Respondent(s): Mr. Pawan Upadhyay
Ms. Anisha Upadhyay for R-4

ORDER

Today a Memo has been filed by the learned counsel for the Appellant stating that the main Order which is pending before the Central Commission has been dismissed on the withdrawal of the petition by the Respondent herein. On that basis, the learned counsel for the Appellant submits that this Appeal has become infructuous. The prayer made in the Memo at Para Nos. 4 & 5 is as follows:

“4.In the above premises, it is submitted that in view of disposal of Petition NO.4/MP/2012 by the learned Commission as withdrawn by Order dated 31.10.2013, the present Appeal has become infructuous.

5. Under the circumstances, it is most respectfully prayed that the present Appeal may be disposed of as having become infructuous in view of disposal of Petition No. 4/MP/2013 leaving open the questions of Law raised in the Appeal.”

In view of the statement made by the learned counsel for the Appellant, the Appeal becomes infructuous. Accordingly, the Appeal is dismissed as infructuous leaving open the questions of law raised in the Appeal.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

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