

COURT-I

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

Appeal No. 279 of 2013

Dated : 11th November, 2013

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

**Gujarat Urja Vikas Nigam Ltd.
Versus
Gujarat Electricity Regulatory
Commission & Ors.**

..... Appellant(s)

..... Respondent(s)

Counsel for the Appellant(s):

**Mr. M.G. Ramachandran
Mr. Anand K. Ganesan**

Counsel for the Respondent(s):

**Mr. Rupesh Kumar for R.73
Mr. Amit Kapur
Ms. Poonam Verma for R.76
Ms. Suman Ahsan for R.55
Mr. Vikas Singh
Mr. S. Venkatesh for R.20**

ORDER

We have heard the learned counsel for the Appellant who argued for Admission of the Appeal. However, the learned counsel appearing for the Caveators oppose the admission on the ground that the very petition filed by the Appellant before the State Commission itself was not maintainable as rightly held by the State Commission.

Since the maintainability of the Appeal as well as the Petition filed before the State Commission is questioned, we deem it fit to admit this Appeal subject to the maintainability.

Issue notice. Mr. Venkatesh takes notice on behalf of Respondent No.20; Ms. Suman Ahsan takes notice on behalf of Respondent No.55; Mr. Rupesh Kumar takes notice on behalf of Respondent No.73 and Mr. Amit Kapur takes notice on behalf of Respondent No.76. Notice be issued to the other Respondents returnable on 11.12.2013. Dasti service is permitted. Registry is also directed to issue notice to the other Respondents.

Post the matter for hearing on the question of maintainability on **11.12.2013.**

In the meantime, reply be filed by all the Respondents after serving copy on the other side.

(Rakesh Nath)
Technical Member
ts/ak

(Justice M. Karpaga Vinayagam)
Chairperson