

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 278 of 2013 &
IA No. 377 of 2013

Dated : 13th November, 2013

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

Reliance Infrastructure Ltd. Appellant(s)

Versus

Maharashtra Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. J.J. Bhatt, Sr. Adv.
Ms. Anjali Chandurkar
Mr. Hasan Murtaza

Counsel for the Respondent(s) : Mr. Buddy A.Ranganadhan
for R.1
Mr. Ramji Srinivasan, Sr. Adv.
Ms. Prerna for R.2

ORDER

Issue notice to the Respondents returnable on 26.11.2013.
Dasti service is permitted. Registry is also directed to issue notice to the Respondents.

We have heard the learned counsel for the parties.

It is noticed that an Order has been passed by the State Commission in the Application filed by the learned counsel for the Appellant as directed by us requesting for extension of

implementation of the Order dated 30.10.2013 passed by the State Commission.

It is seen that in the Order dated 08.11.2013 passed by the State Commission in the Stay Application the Applicant/Appellant has been directed to file the affidavit. Para No.7 of the Order passed by the State Commission is as under:

“7. Since, RInfra-D intends to submit their say in writing and considering the importance of the matter, the Commission hereby grants additional time till 30th November, 2013 to RInfra-D to make a detailed submission on affidavit on its request for extension of time for implementation of the Order in Case No. 85 of 2013, and also indicate the time frame required for implementation of the Order in Case No. 85 of 2013. RInfra-D should serve a copy of its submissions on TPC-D as well as the authorized Consumer Representatives by 30th November, 2013. TPC-D should submit its comments and suggestions on affidavit on the same by one month from the date of the hearing i.e., 8th December, 2013, with a copy to RInfra-D and the authorized Consumer Representatives”.

In view of the pendency of the stay Application before this Tribunal, we deem it appropriate to direct the State Commission

not to insist for the detailed submission on affidavit as directed to be filed by the Applicant/Appellant in the Order dated 08.11.2013.

The learned counsel for the Respondent No.2 has filed the reply. The learned counsel for the Commission seeks some time to file the reply. Accordingly, he is directed to file the same on or before 20.11.2013 after serving copy on the other side. Thereafter, the Rejoinder, if any, be filed after serving copy on the other side.

Post the matter for hearing I.A. No. 377 of 2013, the Stay Application, on **28.11.2013** before the Bench comprising of **Chairperson and V.J. Talwar.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/ss