

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

**Appeal No. 92 of 2011 &**  
**I.A. Nos. 160 & 161 of 2011**

**Dated: 12<sup>th</sup> July, 2011**

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

**Maharashtra State Electricity Distribution Co. Ltd** ... Appellant(s)

**Versus**

**Central Electricity Regulatory Comm. & Ors.** ....Respondent(s)

**Counsel for the Appellant(s): Mr. Paras Kuhad, Sr. Adv. with**  
**Mr. Aashish Bernard, Mr. Varun Pathak &**  
**Mr. Lakshyaved R.Odhekar**

**ORDER**

Admittedly, the Appellant is not a party before the Central Commission, which passed the impugned Order. Mr. Paras Kuhad, the learned Senior Counsel, points out that even though he is not a party to the proceedings before the Commission, as an aggrieved party he is entitled to file the Appeal.

The impugned Order has been passed on 04.04.2011. But this Appeal has been filed only on 14.06.2011. According to the learned counsel for the Appellant the Appeal is within time, as he filed the same after receipt of Communication. However, it is noticed that the Appellant has filed an Application seeking for leave to file the Appeal. Before deciding about the maintainability of the Appeal, we feel that it would be appropriate to issue notice in the

Application seeking leave to file the Appeal. Therefore, issue notice in I.A.No. 161 of 2011 to the Respondents returnable on 20.07.2011. Dasti service is permitted.

Post the matter on **20.07.2011**.

**( V.J. Talwar )**  
**Technical Member**

**(Justice M. KarpagaVinayagam )**  
**Chairperson**

**TS/KS**