

COURT-II

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)**

**ORDER ON REVIEW PETITION NO. 09 OF 2016 IN
APPEAL NO. 316 OF 2013**

Dated: 5th December, 2017

**Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member**

In the matter of:

**Sai Wardha Power Company Limited
18-2-293/82/A/431/A
Road No. 22, Jubilee Hills
Hyderabad – 500033**

**... Review Petitioner(s)/
Appellant**

Vs.

**1. Maharashtra Electricity Regulatory Commission
Through its Secretary
13th Floor, Centre No. 1, World Trade Centre,
Cuffe Parade, Colaba
Mumbai-400 005**

**2. Maharashtra State Electricity Distribution
Co. Ltd.
Prakashgad Building
Plot No. G-9, Bandra East
Mumbai 400 051**

**3. Maharashtra State Electricity Transmission
Company Limited
C-19, E-Block, Prakashganga
Bandra Kurla Complex, Bandra (East)
Mumbai-400 051**

... Respondent(s)

**Counsel for the Review Petitioner/Appellant(s): Mr. Hemant Singh
Mr. Nishant Kumar**

Counsel for the Respondent(s) : Mr. Buddy A. Ranganadhan for R-1

In the instant case, the Review Petitioner most humbly prays for the following reliefs:

- (a) Admit the present review petition;
- (b) Review and set aside the order, dated 17/05/2016 passed by the Hon'ble Tribunal;
and
- (c) Pass such other order(s) as the Hon'ble Tribunal may deem just in the facts of the present case.

ORDER

We have heard the learned counsel, Mr. Hemant Singh, appearing for the Petitioner. During the course of the submission, he submitted that, being aggrieved by the impugned judgment dated 17.5.2016 passed in Appeal No. 316 of 2013 on the file of the Appellate Tribunal for Electricity, New Delhi questioning the legality and validity of the said judgment, has filed Civil Appeal No.12282 of 2016 on the file of the Supreme Court of India. In the said Civil Appeal, notice was ordered to the Respondents. The matter was pending for adjudication before the Supreme Court of India.

Further, he submitted that in view of the pendency of the said Civil Appeal No. 12282 of 2016 on the file of the Supreme Court of India, the instant Review Petition, being Review Petition No. 09 of 2016, filed by the Petitioner may be disposed of reserving liberty to the Petitioner to redress his grievances before the Supreme Court of India where the matter was pending for adjudication and all the grounds urged in the instant Review Petition may kindly be left open.

The submission made by the learned counsel appearing for the Petitioner, as stated above, place on record.

In the light of the submission made by the learned counsel appearing for the review petitioner, as stated above, the instant Review Petition No. 09 of 2016 in Appeal No. 316 of 2013, on the file of the Appellate Tribunal for Electricity, New Delhi, stands disposed of reserving liberty to the Petitioner to redress his grievance before the Supreme Court of India in Civil Appeal No. 12282 of 2016 pending for adjudication. All the contentions urged by the Petitioner are left open.

With these observations, the instant Review Petition No. 09 of 2016 in Appeal No. 316 of 2013, on the file of this Appellate Tribunal for Electricity, New Delhi, stands disposed of. Order accordingly.

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

mk/vt