

COURT-I**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)****APPEAL NO. 181 OF 2012 &
IA NO. 4 OF 2013****Dated: 28th July, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. B.N. Talukdar, Technical Member (P&NG)****In the matter of :****Reliance Industries Ltd. & Anr. Appellant(s)
Vs.
Indian Oil Corporation Ltd. & Ors. Respondent(s)**

Counsel for the Appellant(s) : Mr. Gaurav Mitra
Mr. Vishnu Sharma
Mr. Adarsh Rai

Counsel for the Respondent(s) : Mr. Rajat Navet
Mr. Rohan Yadav for R-1 to R-3

Mr. Vijay Kumar for R-5

Mr. Jay Salva
Mr. Prabhat Chaurasia
Ms. Renuka Sahu for R-7

Mr. Sumit Kishore for R-8

ORDER

Counsel for the Appellant states that Appellant is filing an application with the prayer that the instant appeal be allowed to be withdrawn. In view of the urgency, with the consent of the

parties, we take the application on file. Registry is directed to number the application.

Learned counsel for the Appellant states that as of date the contesting Respondents have reverted to the notified policy and consequently the prices of motor spirit and high speed diesel are now market determined. Part of the relief sought in the complaint before the PNGRB i.e. Respondent No.8 has been granted. In view of this, the Appellant has instructed the counsel to withdraw the present appeal.

Counsel for the Appellant has drawn our attention to Paragraph No. 6 of the application. The relevant portion thereof is as under:

"Bearing in mind the changed approach of the Government and the oil marketing companies and in the belief and expectation that the Government would adhere to the declared policy, the Appellant has taken a commercial call not to press for monetary relief for the past"

We accept the statement made in the above extracted portion. In view of the above statement and in view of the averments made in the application, the appeal is allowed to be withdrawn and is disposed of as such. However, in case a fresh cause of action arises, the Appellant will be at liberty to adopt

appropriate remedy available to it in law. We make it clear that on the merits of case, we have expressed no opinion. Needless to say that in case any remedy is adopted by the appellant, the forum seized of the proceeding filed by the Appellant shall deal with the same independently and in accordance with law.

All connected IAs including IA for withdrawal are disposed of accordingly.

(B.N. Talukdar)
Technical Member (P&NG)
Bn/pr

(Justice Ranjana P. Desai)
Chairperson