

**COURT - I****IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)****DFR NO. 990 OF 2017****Dated: 27<sup>th</sup> July, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. I.J. Kapoor, Technical Member****In the matter of :**

<b>Tata Power Delhi Distribution Ltd.</b>		<b>....</b>	<b>Appellant(s)</b>
	<b>Vs.</b>		
<b>Delhi Electricity Regulatory Commission &amp; Ors.</b>		<b>....</b>	<b>Respondent(s)</b>

Counsel for the Appellant(s)	:	Mr. Vishal Anand Mr. Rahul Kinra Mr. Anurag Bansal
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Counsel for the Respondent(s)	:	Mr. Pradeep Misra Mr. Nikhil Nayyar Mr. Divyanshu for R-1
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	:	Mr. Paras kumah, Sr. Adv. Mr. Sumeet Pushkarma for R-2
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**ORDER**

In this appeal the Appellant has challenged the letters dated 16.01.2017 and 02.02.2017 issued by the Delhi Electricity Regulatory Commission (**State Commission**) to the Appellant.

Under Section 111 of the Electricity Act, 2003, this Tribunal can entertain any appeal preferred by a person aggrieved by an order made by an adjudicatory officer or an order made by the Appropriate Commission under this Act . The letters, which are challenged in this appeal, cannot be characterised as orders. They do not contain submissions of the parties

and the State Commission's decision thereon. Such letters cannot be treated as orders. We however, while dismissing this appeal on the ground that it is not maintainable, make it clear that on the merits of the Appellant's case we have not expressed any opinion. If the Appellant has any other remedy available in law to challenge these letters, the Appellant is free to adopt it.

The appeal under DFR is dismissed as not maintainable.

**( I. J. Kapoor )**  
**Technical Member**

**( Justice Ranjana P. Desai )**  
**Chairperson**

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