

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

**Review Petition No. 2 of 2011 in  
Appeal No. 26 Of 2008**

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

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

**In the matter of:**

Indraprastha Power Generation Co. Ltd.,  
Himadri  
Rajghat Power House Complex,  
New Delhi-110002.

....Review Petitioner/ Appellant

Vs

1. Delhi Electricity Regulatory Commission,  
VINIYAMAK Bhawan, C Block,  
Shivalik, Malviya Nagar,  
New Delhi-110 017
2. Delhi Transco Limited,  
Kotla Road,  
New Delhi-110 002
3. BSES Rajdhani Power Limited,  
BSES Bhawan,  
Nehru Place,  
New Delhi-110 019.
4. BSES Yamuna Power Limited  
Shakti Kiran Vihar,  
Karkardooma,  
Delhi-110092
5. North Delhi Power Limited,  
Sub Station Building, Hudson Lines,  
Kingsway Camp,  
Delhi-110 009.

... Respondents

Counsel for Review Petitioner: Mr. M.G. Ramachandran,  
Mr. Anand K. Ganesan,  
Ms. Swapna Seshadri

Counsel for the Respondent(s) : Mr. R.K. Mehta &  
Mr. David for R-1  
Mr. Vishal Anand for R-5  
Ms. Surbhi Sharma

## **ORDER**

### **Hon'ble Shri Rakesh Nath, Technical Member:**

This Review Petition has been filed by Indraprastha Power Generation Company Limited for review of the Judgment dated 7.4.2011 of this Tribunal passed in Appeal No. 26 of 2008 on the ground that there is an error apparent in the Judgment relating to finding on determination of Station Heat Rate in open cycle mode of Gas Turbine Power Station of the Petitioner/Appellant.

2. It has been submitted by the learned counsel for the Petitioner that though the contentions of the Appellant regarding inadequate Station Heat Rate for Gas Turbine Power Station in the open cycle mode have been referred to

in the Judgment, by inadvertence the issue has not been dealt with and decided in the operative portion of the Judgment.

3. Per contra, the learned counsel for the State Commission (R-1) has argued that conjoint reading of paragraphs 31 to 36 would indicate that the matter of Station Heat Rate in open and closed cycle has been dealt with and the Tribunal has rejected the contentions of the Appellant.

4. We have considered the submissions made by the learned counsel for both the parties.

5. As pointed out by the learned counsel for the Respondent, the Tribunal has dealt with the issue of Station Heat Rate for Gas Turbine Station of the Appellant in paragraphs 31 to 36 of the Judgment. Conjoint reading of these paragraphs would show that the Tribunal has rejected the contentions of the Petitioner/Appellant with

regard to Station Heat Rate for Indraprastha Power Generation Company Limited, both for open cycle and closed cycle mode and has upheld the findings of the State Commission.

6. Thus, we do not find any error apparent on the face of the record.

7. The Review Petition is devoid of any merit and therefore, it is dismissed without any cost.

8. Pronounced in the open court on this **12<sup>th</sup> day of August, 2011.**

**( Rakesh Nath )  
Technical Member**

**(Justice M. Karpaga Vinayagam)  
Chairperson**

REPORTABLE / NON-REPORTABLE

vs