

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

**Appeal No.131 of 2009 &
IA No. 244 of 2009**

Dated: 6th November, 2009

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. H.L. Bajaj, Technical Member**

Tamil Nadu Electricity Board
Versus

... Appellant (s)

Central Electricity Regulatory Commission & Ors.

... Respondent (s)

Counsel for the Appellant/ (s): Mr. R. Venkataramani, Sr. Advocate

Mr. R. Nedumaran

Mr. C.K.R. Lemin Sekar

Counsel for the Respondent (s): Mr. M. G. Ramachandran

Mr. Anand K. Ganesan

Ms. Swapna Seshadri for NTPC

ORDER

The delay of 75 days is condoned. I.A. No. 244/09 is disposed of.

However, we do not find any merit in the appeal, since it is pointed out by the Ld. Counsel for the Respondent that the order Impugned is only the implementation of the Order earlier passed by this Tribunal while disposing of a batch of appeals No. 81, 82 etc. of 2005 on 22/1/07 covering the point raised in the present Appeal.

Hence, the Appeal is dismissed.

**(H.L. Bajaj)
Technical Member**

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