

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

Appeal No. 53 of 2008 & I.A. No. 97 of 2008

Dated: May 26, 2008

**Present: Hon'ble Mrs. Justice Manju Goel, Judicial Member
Hon'ble Mr. M.B. Lal, Technical Member**

Reliance Fuel Resources Limited -Appellant(s)

Versus

Petroleum and Natural Gas Regulatory Board -Respondent(s)

Counsel for the Appellant(s) : Mr. Amit Kapur, Mr. Apoorva Misra and
Ms. Shobhna Masters

Counsel for the Respondent(s) : Dr. Madan Sharma and Mr. Sarvesh Chandra

ORDER

Heard.

Mr. Sarvesh Chandra, advocate appearing for respondent Board says that the impugned order namely letter ref no. PNGRB/NGPL/05/2007 dated December 10, 2007 is not a decision of the Board and therefore, the order is not appealable. The impugned letter is signed by Mr. Ramesh Samtani, Officer on Special duty (in short OSD) with the Petroleum and Natural Gas Regulatory Board (P&NGRB). Mr. Sarvesh Chandra says that the OSD was not authorized to write this letter and to return the application of the appellant. Accordingly, P&NGRB does not own this impugned letter. The same is the situation with other three earlier letters nos. PNGRB/CGD/18/2007/1/1, PNGRB/CGD/20/2007/3 and PNGRB/CGD/19/2007/2 all dated November 28, 2007. Therefore, the only interpretation of this statement that these three letters non est in the eyes

of law, and as a consequence, there is no option but to say that applications made before P&NGRB are still pending.

The respondent is therefore, directed to dispose of the four applications which were returned with the four letters dated December 10, 2007 and November 28, 2007 mentioned above, as early as possible in accordance with law.

The appeal stands dispose of.

(M.B. Lal)
Technical Memberr

(Manju Goel)
Judicial Member