

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

Appeal No. 84 of 2010

Dated: 15th April, 2010

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

Haryana Power Generation Corp. Ltd. Appellant (s)

Versus

Haryana Electricity Regulatory Commission ... Respondent (s)

Counsel for the Appellant (s): Mr. Pradeep Dahiya with
Mr. Diwaan Chand Arya (Rep.)

ORDER

The only grievance expressed by the learned counsel for the Appellant is that the truing up order has been passed by the Commission without giving opportunity to the Appellant, who is a party to the original proceedings.

As correctly pointed out by the Registry, it is only a letter written by the Secretary of the Commission to the Appellant informing about the Commission's decision. As pointed out by the learned counsel for the Appellant the truing up order has to be passed by the Commission only after giving opportunity to the Appellant.

It is represented that already an Application has been filed before the commission.

Therefore, it would be appropriate to direct the Appellant to approach the Commission requesting to dispose of that Application, which has already been filed, after giving an opportunity to him. Through a letter the decision of the Commission in the truing up matter can not be conveyed to the Appellant.

In these circumstances, we direct the Appellant to approach the Commission requesting the Commission to give an opportunity to them before passing a truing up order and we further direct that after hearing the Appellant, the appropriate Order may be passed.

With these observations, the Appeal is disposed of.

(H.L. Bajaj)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson