

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

Appeal No. 234 of 2006

Dated: 25th March, 2009

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

**Chodavaran Cooperative Sugar Ltd. ... Appellant (s)
Versus**

Transmission Corporation of A.P. & Anr. ... Respondent (s)

Counsel for the Appellant/ (s) : Mr. R. Venkata Ramani &
Mr. V. Pattabhi Ram

Counsel for the Respondent (s) : Mr. A. Suba Rao for Resp. No. 1
Mr. K.V. Mohan &
Mr. K.V. Balakrishnan for APERC.

ORDER

There is no dispute in the fact that the point of issue raised in this appeal has already been decided by the full bench of this Tribunal in AppealNo.1,2,5,6,7,8,9,10,12,15,16,17,18,19,20,21,22,34,46, 487,48,49,50,58, 67 and 80 of 2005 judgment dated 2.6.2006 and all these appeals were allowed.

It is pointed out that against the said decision in those appeals parties have filed the appeal in Supreme Court, which is pending. However, this Tribunal is bound by the decision taken by the Full Bench of

this Tribunal, which decided the point in favour of the appellant. Hence, this appeal also is liable to be allowed in terms of the reasonings given in those appeals.

Accordingly the appeal is allowed.

(A.A. Khan)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson