

**Court-II**

**In the Appellate Tribunal for Electricity, New Delhi**  
*(Appellate Jurisdiction)*

**Appeal No.60 of 2014**

**Dated : 31<sup>st</sup> May, 2016**

**Present: HON'BLE MR. JUSTICE SURENDRA KUMAR, JUDICIAL MEMBER**  
**HON'BLE MR. T MUNIKRISHNAIAH, TECHNICAL MEMBER**

**In the Matter of:**

**West Bengal State Electricity Distribution Co. Ltd.**  
**Versus**

**... Appellant(s)**

**Central Electricity Regulatory Commission & Anr.**

**... Respondent(s)**

Counsel for the Appellant(s) : Mr. Jayant Bhushan, Sr. Adv. Along  
with Ms. PUja Priyadarshini  
Ms. Aankhi Ghosh

Counsel for the Respondent(s) : Mr. K. S. Dhingra for R.1  
Mr. Anand K. Ganesan  
Ms. Sandeep for R.2

**ORDER**

Mr. Jayant Bhushan, learned Sr. Advocate appearing for the Appellant and Mr. K.S.Dhingra, appearing for Respondent No.1/CERC, Mr. Anand K.Ganesan, appearing for Respondent No. 2, have submitted that the CEA report as required by the Order of this Tribunal, from Central Electricity Authority, has already been submitted and all the parties have gone through that report. There are some suggestions in the report of the CEA which requires implementation in Toto. Thus, all the parties are agreeing to the suggestions made by the CEA in the said report without any relaxation on any aspect.

The CEA report, dated 18.04.2016, is available on the record of this appeal. The instant Appeal, being Appeal No.60 of 2014, has been filed under Section 111 of the Electricity Act, 2003, challenging certain findings contained in the Impugned Order, dated 02.12.2013, passed by the CERC/R-1, herein O.P. No. 23 of 2005.

Keeping in view, the submissions of all the parties to this appeal, we hereby, quash the Impugned Order, dated 02.12.2013, passed by the CERC in O.P. No. 23 of 2005, to the extent challenged in the instant Appeal and **dispose of** this appeal, directing CERC to ensure implementation of the suggestions recorded in the CEA report within six months' from today and to consider the matter afresh. In the light of the above, this appeal, being Appeal No.60 of 2014, is accordingly, **disposed of**.

No order as to costs.

We hope that all the parties will cooperate in ensuring the implementation of the suggestions given in the CEA report in letter and sprit without seeking any excuse.

**( T. Munikrishnaiah )**  
**Technical Member**

**( Justice Surendra Kumar )**  
**Judicial Member**