

**COURT – I**

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

**Appeal No. 66 of 2010**

**Dated: 5<sup>th</sup> July, 2010**

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. Rakesh Nath, Technical Member  
Hon'ble Mr. Justice P.S. Datta, Judicial Member**

**In the matter of:**

**Tororent Energy Ltd. .... Appellant (s)  
Versus  
Dakshin Gujrat Vij Company Ltd. & Ors. ... Respondent (s)**

Counsel for the Appellant (s) : Ms. Deepa Chawan, Mr. H.S. Jaggi. Advs. with  
Mr. S. Shah, Vice President(Finance)

Counsel for the Respondent (s) : None

**ORDER**

Heard the learned counsel for the Appellant. Earlier this matter was adjourned on the ground that a Review Petition is pending before the State Commission. It is noticed that as against the impugned order passed by the State Commission, a Review Petition had been filed on 29<sup>th</sup> December, 2009 and thereafter the Appellant has chosen to file this Appeal before this Tribunal on 4<sup>th</sup> January, 2010.

Now it is pointed out that even though the Review Petition was filed on 29<sup>th</sup> December, 2009 the same has still not been disposed of.

As mentioned in the earlier order we are not inclined to entertain this Appeal especially when the Review Petition is pending before the State Commission on the same point.

Ctnd.....2/-

Therefore, it would be appropriate to dispose of this Appeal by giving liberty to the Appellant to file the Appeal before this Tribunal after disposal of the Review Petition, pending before the State Commission, if so required. Accordingly, ordered.

As requested by the learned counsel for the Appellant we deem it appropriate to direct the State Commission to dispose of the Review Petition No. 997 of 2010 filed by the Appellant within four weeks from receipt of this order. Accordingly directed

With these observations this Appeal is disposed of.

**(Justice P.S. Datta)**  
**Judicial Member**

**(Rakesh Nath)**  
**Technical Member**

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

Dated : 05.07.2010

za/ksm