

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

Appeal No. 53 of 2005

**Present : Hon'ble Mr. Justice E. Padmanabhan, Judicial Member
Hon'ble Mr. H.L. Bajaj, Technical Member**

Tata Power Ltd. ... Appellant

Versus
Maharashtra State Electricity BoardRespondent (s)

For the Appellants : Mr. Darius J. Khambata, Sr. Advocate
Mr. Shrikant V. Doijode
Mr. Parag Kabadi
Ms Pragya Baghel, Advocate

For the Respondents : Mr. Syed Naqvi, Advocate,
Ms Smieetaa Inna, Advocate for Res.2
Mr. Shaiwal Srivastava, Advocate for
Respondent Nos. 1,9,10,11 & 12

Dated 28th September, 2006

ORDER

Mr. D. J. Khambata, Sr. Advocate appears for the appellant. Mr. Syed Naqvi, Advocate appears for the respondent No. 2. Mr. Shaiwal Srivastava, Advocate appears for respondent Nos. 1,9,10,11 and 12.

Mr. Khambata, learned counsel appearing for the appellant represents that the appellant is withdrawing the appeal while seeking liberty to move MERC to initiate independent action and the points that have been raised in the appeal may be left open to the appellant to raise before MERC.

While recording the above statement and giving liberty as prayed for, the appeal is dismissed as withdrawn.

**(Mr. H.L. Bajaj)
Technical Member**

**(Mr. Justice E. Padmanabhan)
Judicial Member**