

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

**Appeal No.112/11 &
IA-182/11**

Dated : 14th October, 2011

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

M/s Bhilangana Hydro Power Limited

....Appellant(s)

Versus

**Uttarakhand Electricity Regulatory
Commission & Ors.**

...Respondent(s)

Counsel for the Appellant (s): Mr. Sanjay Sen, Mr. Rajesh Jindal and Ms. Shikha Ohri

Counsel for the Respondent (s): Mr. Buddy A. Ranganadhan and Ms. Richa Bharadwaja for R-1
Mr. Pradeep Misra and Mr. Manoj Kumar Sharma for R-2

ORDER

We have heard the learned counsel for both the parties.

On the last occasion, Mr. Pradeep Misra submitted that on the instructions given by his client i.e. respondent no. 2- The Power Transmission Corporation of Uttarkhand Ltd., the transmission network will be completed on or before 30th October, 2011 for evacuation of power from the Appellant's project.

So in view of this undertaking, the learned counsel for Appellant sought

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some time to seek appropriate instructions from his client, for withdrawal of the Appeal. Accordingly, time was granted.

Matter has been taken up today. The learned counsel for the Appellant submits that his client has instructed him to withdraw the appeal on recording the undertaking given by the counsel for the respondent.

He further requested that the Appellant may be given liberty to approach the appropriate forum in respect of other disputed issues.

Accordingly, we direct the second respondent to complete the transmission network on or before 30th October, 2011 for evacuation of power from the Appellant's project as undertaken by them. On that completion, the Appellant will be allowed to evacuate the power in terms of Transmission Services Agreement.

It is open to the Appellant to raise the other issues, if any, before the appropriate forum if circumstances so warrant.

With these observations, the appeal is dismissed as withdrawn.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

rkt/ak