

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

Appeal No. 6 of 2009

Dated: 12th February, 2009

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

**Maharashtra State Power Generation Co. Ltd., ... Appellant (s)
Versus**

Maharashtra Electricity Regulatory Commission & Ors. ... Respondent (s)

Counsel for the Appellant (s) : Ms. Deepa Chawan, Mr. Kiran Gandhi &
Ms. Amita Rajora

Counsel for the Respondent (s) : Mr. Buddy A. Ranganadhan &
Mr. Arijit Maitra for Resp.1-MERC

ORDER

We have heard the learned counsel for the parties.

The appellant has filed an application before the Commission for approval of the in principle clearance for the bid documents.

We have gone through the order of the Commission. In our view, the Commission has given the correct reasoning to reject the prayer of the appellant, on the ground that it has no jurisdiction. Though the counsel for the appellant has brought to the notice of the Commission,

with reference to Sections 61 and 62 of the Electricity Act, 2003, the Commission correctly held that Sections 61 and 62 would not apply, especially when the tariff petitions were not pending. Therefore, we do not want to interfere with the impugned order of the Commission.

With these observations, the appeal is disposed of.

(A.A. Khan)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson