

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

Appeal No.38 of 2007 & I.A. 66 of 2007

Dated : December 20, 2007

**Present: Hon'ble Mr. Justice Anil Dev Singh, Chairperson
Hon'ble Mr. A.A. Khan, Technical Member**

Damodar Valley Corporation Ltd. ... Appellant (s)

Versus

Jharkhand State Electricity Regulatory Commission & Anr. ... Respondent (s)

Counsel for the Appellant (s) : Mr. Anand K. Ganesan

Counsel for the Respondent (s) : Mr. Sudarshan Shrivastava &
Mr. A.K. Mehta, Sectt. JSERC

**ORDER
(On being mentioned)**

On being mentioned by the learned counsel for the parties, the matter is taken up.

It is stated by the learned counsel for the parties that in view of the Judgment rendered by us in Appeal No.273 of 2006 and other connected matters, the impugned order of the Commission is required to be set aside. We order accordingly. It is clarified that the parties shall be governed by the Judgment rendered in Appeal No.273 of 2006 and other connected matters, dated November 23, 2007.

The appeal is disposed of.

**(A.A. Khan)
Technical Member**

**(Anil Dev Singh)
Chairperson**