



Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110 017.

F.11(2003)/DERC/2022-23/7473

Review Petition No. 38/2022

In the matter of: Review Petition for seeking Review of the Commission's Order dated 21.07.2022 purportedly in compliance of the Hon'ble Tribunal's Judgement dated 24.05.2022 in Appeal No. 213 of 2018, 332 of 2021 IA No. 1971 of 2021 in Appeal No. 334 of 2021 and DFR No. 38 of 2022.

Tata Power Delhi distribution Ltd.

.....Review Petitioner

Coram:

Hon'ble Shri Justice Shabihul Hasnain 'Shastri', Chairperson

Hon'ble Dr. A. K. Ambasht, Member

Appearance:

Sri Venkatesh, Adv., TPDDL

INTERIM ORDER

(Date of Hearing: 08.09.2022)

(Date of Order: 08.09.2022)

Heard Sri Venkatesh, Counsel for the Review Petitioner. The query which comes to the mind of the Commission is whether under the circumstances and the facts disclosed in the Petition, this matter can be treated as a review, because *prima facie* the Counsel has not been able to satisfy the Commission that there is an error apparent on the face of the record. We also find that there is a direction by the APTEL that the matter is to be decided by the DERC afresh but still in the light of the observations and judgement passed by the APTEL in the matter, a dilemma arises with this Commission as to how to deal with this aspect and in which format the orders have to be passed. We are trying to be very careful that we do not take any path which has not been guided by the Tribunal. Due respect has to be paid to the spirit and order of the Tribunal, incidentally these words have been used in the judgement itself. Sri Venkatesh has vehemently argued and tried to guide us to wisdom but today the Commission had not been able to make up its mind clearly as to how this matter has to be treated. Sri Venkatesh has very fairly submitted that he will come up with certain judgements which can throw light which can guide us and him also to project the matter in proper perspective in accordance with law. List on 29.09.2022

Sd/-
(Dr. A.K. Ambasht)
Member

Sd/-
(Justice Shabihul Hasnain 'Shastri')
Chairperson

WEAR FACE MASK

WASH HANDS REGULARLY

MAINTAIN SOCIAL DISTANCING