

**TELECOM DISPUTES SETTLEMENT & APPELLATE TRIBUNAL
NEW DELHI**

Dated: 01/10/2019

MISC APPLICATION/215/2019

IN

AERA APPEAL/8/2018

ARISING OUT OF

R A/8/2019

Petitioner Name: Bangalore International Airport Limited

Versus

Respondent Name: Aera

BEFORE

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH ,CHAIRPERSON

HON'BLE MR. A.K. BHARGAVA ,MEMBER

For Applicants/Appellants/

Petitioners Advocate

Mr. Sajjan Poorayya, Sr. Advocate

Mr. Manu Kulkarni

Ms. Sriparna Dutta Chaudhury

Ms. Priyanka Mp

For Respondents Advocate

Ms. Shweta Bharti

Mr. Avinash Singh

Amicus Curiae:

For Impleader(Pet.):

For Impleader(Res.):

ORDER

In course of hearing of the M.A. NO. 215 of 2019, our attention has been drawn to averments in paragraph 14 to the effect that after the grant of interim order by this Tribunal, the appellant has managed to arrange for finances from the lenders on 6.8.2019 for the proposed expansion projects including projects which are likely to spill over in the third control period. Elaborating the aforesaid disclosure, learned counsel for the respondent has placed before us certain relevant extracts of a common loan agreement dated 5.8.2019 to point out that now the appellant has arranged a project debt component of the funding requirement aggregating to Rs. 10682 crores. From other relevant clause, it has been shown that as a rupee facility

now the appellant is entitled to a loan facility not exceeding Rs. 10206 crores in accordance with the terms and conditions of the loan agreement from the lenders.

In view of such subsequent development, the purpose for which the interim order was passed by this Tribunal on 14.3.2019 stands satisfied. Hence, we accept the plea of the respondent and do not coerce it to extend the interim order beyond the initial period of four months for which the appellant has already been permitted to make collections at the earlier higher rate. The collection shall abide further orders that may be passed in the matter. The issue of interim relief as prayed through M.A. No. 215 of 2019 is decided accordingly. The MA is disposed of.

The parties will be at liberty to pray for an early hearing of the appeal at a convenient time.

**(S.K.SINGH)
CHAIRPERSON**

**(A.K. BHARGAVA)
MEMBER**