

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL  
MINISTRY OF CIVIL AVIATION  
GOVERNMENT OF INDIA**

**O/o Competition Appellate Tribunal  
19<sup>th</sup> Floor, Jawahar Vyapar Bhawan,  
Tolstoy Marg, New Delhi 110 001**

**APPEAL NO. 1 OF 2010**

(Arising out of the Order No. 1/2010 dated 5.5.2010 passed by the Airports Economic Regulatory Authority of India Act, 2008 in the matter of levy of UDF at Trivandrum International Airport).

**CORAM**

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Shri Rahul Sarin  
Member

Hon'ble Mrs. Pravin Tripathi  
Member

**In the matter of :**

***State of Kerala & anr.***

***... Appellants***

***Versus***

***AERA & anr.***

***... Respondents***

**Appearances :** None for the appellants  
Mr. Atul Nanda, Sr. Advocate with  
Ms. Sugandha, for Ms. Rameeza Hakeem, Advocates for  
Respondent No. 1

**ORDER**

6<sup>th</sup> April, 2011

We have heard Shri Atul Nanda, learned counsel for the respondent. From the impugned order, it is styled as an *ad-hoc* one. Without entering into the question as to whether there is any provision for *ad-hoc* determination of tariff we dispose of the present appeal with the following directions :-

1. The determination of the tariff as prescribed in the Airports Economic Regulatory Authority of India Act, 2008 (in short the "Act") shall be done as early as practicable. Such expeditious determination would be in the interest of all the stake-holders.
2. Till the final determination is made, the interim arrangement pursuant to the order dated 9<sup>th</sup> February, 2011 shall continue to be operative.

We make it clear that we have not expressed any opinion on the aspects which are to be gone into by the Authority while making determination of the tariff.

The appeal is accordingly disposed of.

Later Shri P.V. Dinesh, advocate for the appellants appeared and noted.

**(Dr. Justice Arijit Pasayat)**  
**Chairman**

**(Rahul Sarin)**  
**Member**

**(Pravin Tripathi)**  
**Member**