

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

(Appeal No. 06/2011)

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 05.01.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

**Hon'ble Mr. Justice V.S. Sirpurkar
Chairman**

**Hon'ble Mr. Rahul Sarin
Member**

**Hon'ble Mrs. Pravin Tripathi
Member**

In the matter of :

Mumbai Int'l Airport Pvt. Ltd. (MIAL)

...Appellant

Vs.

AERA

.... Respondent

Appearance:

Mr. Sitesh Mukherjee with Mr. Rahul Singh & Mr. Gautam Chawla,
Advocates for the Appellant.
Mr. Atul Nanda, Sr. Advocate with Mr. Naresh Kaushik,
Ms.Rameeza Hakeem, Ms. Priyadarshi Gopal and Ms. Sanjana
Ramachandran, Advocates for the Respondent.

ORDER

05th October, 2012

After the two senior advocates had argued the matter extensively, the learned counsel for the appellant seeks to withdraw the matter, in view of the stand taken by Shri Nanda appearing for AERA (on instructions from AERA). The stand is that AERA is going to pass a final tariff determination order shortly by the end of November, 2012. Under the circumstances, he feels that there would be no point in our considering the ad-hoc increase in tariff. He also says that all the questions now raised would be kept open while considering the final determination of tariff.

Accordingly, the appeal is allowed to be withdrawn with the liberty that all the questions herein could be agitated at the stage of final determination of tariff. In the meanwhile, the order dated 05.01.2011 on the issue of demurrage shall remain in force.

In view of this, the appeal stands disposed of as withdrawn.

**(Justice V.S. Sirpurkar)
Chairman**

**(Rahul Sarin)
Member**

**(Pravin Tripathi)
Member**