

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

(Appeal No. 05/2010)

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 04.11.2010 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 & Ors.

.... Respondents

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.
Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advs. for R-1.
Ms. Poonam Verma, Ms. Divya Chaturvedi & Mr. Varun Singh,
Advocates for R-3 & R-6

Mr. Matrugupta Mishra, Advocate for R-4

Ms. Rameeza Hakeem, Advocate for R-5

Mr. Anil K. Mishra with Mr. P. Sinha, Advocates for R-8

Mr. Sanjay Kapur with Ashmi Mohan, Advocates for R-7 & R-9

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Accordingly, the appeal is allowed to be withdrawn with the liberty that all the questions herein could be agitated at the stage of final determination of tariff.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 04.11.2010 on ad-hoc determination of fuel throughput charges 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In view of this, the appeal stands disposed of as withdrawn.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