

**AUTHORITY APPELLATE TRIBUNAL**

**APPEAL NO. 02 OF 2011**

[Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 12.01.2011 passed by the Airports Economic Regulatory Authority of India]

**CORAM**

Hon'ble Dr. Justice Arijit Pasayat  
Chairman

Hon'ble Mrs. Pravin Tripathi  
Member

**In the matter of :**

**Bangalore International Airport  
Limited (BIAL)**

... **Appellant**

**Versus**

**UOI & Ors.**

... **Respondents**

**Appearances :** Dr. Abhishek Manu Singhvi, Sr. Advocate with Mr. Ankur Chawla, Mr. Ashish Jha and Ms. Pallavi Langar, Mr. Sajan Poovayya, Mr. Akhil Anand and Mr. Anesh Patnaik, Advocates for the Appellant. Mr. Atul Nanda, Sr. Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem and Mr. Alok Kaushik, Advocates for Respondent No. 2

**ORDER**

11th May, 2011

This appeal prima facie is not maintainable because there is no determination of tariff and therefore the provision of Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 (in short the "Act") have no application. The appeal is held not to be maintainable. It is made clear that we have not expressed any opinion on merits and have decided only the question of maintainability. This observation shall, however, not apply in case of Appeal No. 7 of 2011.

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

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