

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

(Appeal No. 06/2012)

with IA No.10 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 20.04.2012 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 :

Federation of Indian Airlines (FIA)

...Appellant

Vs.

AERA & Anr. (DIAL)

.... Respondents

Appearance: Mr. Uday U. Lalit, Sr. Advocate with Mr. Ramji Srinivasan, Sr. Adv., Ms. Poonam Verma, Divya Chaturvedi, Mr. Varun Singh, Mr. Kawaljit Singh Bhatia & Mr. Vivek Paul Oriel, 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 R-1.

Mr. C.S. Vaidyanathan, Sr. Advocate with Mr. Gopal Jain, Mr. Ankur Sood, Ms. Garima Sharma and Ms. Chitra Rentala, Advocates for R-2.

ORDER

05<sup>th</sup> October, 2012

The matters are adjourned finally to 19<sup>th</sup> October, 2012. Parties report that the pleadings are not complete as yet. They are directed to complete the same before that date. There shall be no adjournment on that count.

( Justice V.S. Sirpurkar )  
Chairman

( Rahul Sarin )  
Member

( Pravin Tripathi )  
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

(Appeal No. 11/2012)

with IA No.11 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 20.04.2012 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 :

Lufthansa German Airlines & Ors.

...Appellants

Vs.

AERA & Anr. (DIAL)

.... Respondents

Appearance: Mr. Ramji Srinivasan, Sr. Advocate with Mr. Kawaljit Singh Bhatia, Mr. Vivek Paul Oriel and Mr. Chirag M. Shroff, Advocates for the Appellants.  
Mr. Atul Nanda, Sr. Advocate with Mr. Naresh Kaushik, Ms.Rameeza Hakeem, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for R-1.  
Mr. Ramesh Vaidyanathan, Sr. Advocate with Mr. Gopal Jain, Mr. Ankur Sood and Ms. Chitra Rentala, Advocates for R-2.

ORDER

05<sup>th</sup> October, 2012

The matters are adjourned finally to 19<sup>th</sup> October, 2012. Parties report that the pleadings are not complete as yet. They are directed to complete the same before that date. There shall be no adjournment on that count.

( Justice V.S. Sirpurkar )  
Chairman

( Rahul Sarin )  
Member

( Pravin Tripathi )  
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

(Appeal No. 10/2012)

with IA No.14 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 20.04.2012 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 :

Delhi Int'l Airport Pvt. Ltd. (DIAL) ...Appellant

Vs.

AERA .... Respondent

Appearance: Mr. C.S. Vaidyanathan, Sr. Advocate with Mr. Gopal Jain, Mr. Ankur Sood and Ms. Chitra Rentala, 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 No.1.  
Ms. Poonam Verma, Ms. Divya Chaturvedi & Mr. Varun Singh, Advocates for R-2 (FIA)

ORDER

05<sup>th</sup> October, 2012

The matters are adjourned finally to 19<sup>th</sup> October, 2012. Parties report that the pleadings are not complete as yet. They are directed to complete the same before that date. There shall be no adjournment on that count.

( Justice V.S. Sirpurkar )  
Chairman

( Rahul Sarin )  
Member

( Pravin Tripathi )  
Member

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

05<sup>th</sup> 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

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

05<sup>th</sup> 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

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

(Appeal No. 12/2012)

with IA No.18 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 20.04.2012 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 :

International Air Transport Association (India) Pvt. Ltd. (IATA) ...Appellant

Vs.

AERA & Anr. (DIAL) .... Respondents

Appearance: Mr. Sujoy Kumar with Mr. Piyush Gupta & Mr. Arindam Ghose, 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 R-1.  
Mr. C.S. Vaidyanathan, Sr. Advocate with Mr. Gopal Jain, Mr. Ankur Sood and Ms. Chitra Rentala, Advocates for R-2.

ORDER

05<sup>th</sup> October, 2012

Issue notice on the application for condonation of delay.

List the matter for hearing of the application for condonation of delay on 12<sup>th</sup> October, 2012.

( Justice V.S. Sirpurkar )  
Chairman

( Rahul Sarin )  
Member

( Pravin Tripathi )  
Member