

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 01/2013

with I.A. No.02, 03 & 04/2013

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 15.01.2013 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 :

Business Aircrafts Operators Association
V/s. ...Appellant

Mumbai Int'l Airport Pvt. Ltd. (MIAL) & Anr. (AERA) Respondents

Appearances : Mr. Ramji Srinivasan, Senior Advocate with Mr. Sumeet Lall, Mr. Shwetabh Sinha, Mr. Vivek Paul Obriel, Ms Kabita Das and Mr. Kanwaljit Singh Bhatia, Advocates for the Appellant.

Mr. Krishnan Venugopal, Sr. Advocate with Mr. Sakya Singh Chaudhari, Mr. Gautam Chawla & Mr. Parinay Shah, Advocates for Respondent No.1 (MIAL).

ORDER

24th January, 2013

Shri Krishnan Venugopal, learned counsel appearing on behalf of Mumbai International Airport Pvt. Ltd. (MIAL), accepts Notice. He seeks two weeks time to file a reply. Issue notice to R-2 (AERA) with the direction to file its reply, if any, within two weeks. The rejoinder, if any, shall be filed within one week thereafter.

2. For the present, it is not necessary for us to pass any orders on the Injunction prayers excepting that the charges which have been collected from 01st July, 2012 upto 15th January, 2013 which have been directed to be suffered by the Appellant and its members shall be deposited in a separate account. An undertaking shall be given to this Court that in case, finally the Court holds against the alleged retrospective operation of the Order, then all those amounts shall be returned with 9% interest per annum to the extent accrued to MIAL. This undertaking shall be given within one week from today. All future payments made shall be subject to further orders in this Appeal.

The matter shall be listed on 22nd February, 2013.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member