

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL
MINISTRY OF CIVIL AVIATION
GOVERNMENT OF INDIA**

APPEAL NO. 04 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 :

GMR Hyderabad Airport Ltd. (HIAL) ... Appellant

Versus

AERA & anr. ... Respondents

Appearances : Mr. T. Andhyarujuna, Sr. Advocate with Mr. Jatin Aneja, Mr. Lynn Pereira, Mr. V. R. Neelkantan and Mr. Kartik Nayar, 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.

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

**(Pravin Tripathi)
Member**