

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL
NEW DELHI

APPEAL NO. 05 OF 2011

[Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order No. 13/2010-11 dated 12.01.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Dr. Justice Arijit Pasayat
Chairman

Hon'ble Shri Rahul Sarin
Member

Hon'ble Ms. Pravin Tripathi
Member

In the matter of :

**Delhi International Airport
Private Limited (DIAL)**

... Appellant

Versus

AERA & Anr.

... Respondents

Appearances : Shri Mukul Rohatgi, Senior Advocate with Shri Sitesh Mukherjee, Ms. Sakya Singha Chaudhuri and Mr. Avijeet Lala, Advocates for the Appellant.

**Shri Naresh Kaushik with Ms. Amita Kalkal
Chaudhary and Shri Alok Kaushik, Advocates for
Respondent No. 1.**

ORDER
16th March, 2011

Learned senior counsel for the appellant was heard at length. Admittedly, the final determination is yet to be done. The basic grievance of the appellant is that, while formulating the Regulatory Philosophy and Approach in Economic Regulation of Airport Operators, the scope of exclusion of certain concessions have not been kept in view, which, according to him, is required to be done in terms of Section 13(1)(a)(vi) of the Airports Economic Regulatory Authority of India Act, 2008 (in short 'the Act').

Since the final determination is yet to be done, as spelt out in Paragraph 17.5.13 of the Regulatory Philosophy and Approach in Economic Regulation of Airports Operators, in case the appellant has any further grievance, when it is done, it can be challenged, if available under Section 17(b) and Section 18(2) of the Act.

Accordingly, the appeal is disposed of.

[Dr. Arijit Pasayat]
Chairman

[Rahul Sarin]
Member

[Pravin Tripathi]
Member