

Court-I

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

**Appeal No. 268 of 2014 &
IA No. 434 of 2014**

Dated: 14th August, 2015

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. T. Munikrishnaiah, Technical Member**

In the matter of:-

**PMC Power Pvt. Ltd. & Ors.Appellant (s)
Versus
Andhra Pradesh Electricity Regulatory Commission & Ors.
... Respondent (s)**

Counsel for the Appellant(s) : Ms. Swapna Seshadri

Counsel for the Respondent(s) : Mr. A. Subba Rao for R-2 to R-4

ORDER

On 14.05.2015 we passed a detailed order and directed the office to issue fresh notice to the State Commission. We also directed learned counsel for the Appellants to serve notice on the State Commission. Learned counsel for the Appellants states that accordingly she has served notice on the State Commission. Proof of service is attached to the written submissions filed by the Appellants. Despite service of notice, State Commission is unrepresented today.

In our Order dated 14.05.2015, we had noted that the State Commission had been served as far back as on 27.11.2014 and affidavit of service had also been filed. Thus since 27.11.2014 the

State Commission is aware of filing of the present appeal. We reiterate that several important factual issues are raised in this appeal, which require assistance from the State Commission. We had earlier deprecated the conduct of the State Commission in not responding to the notice issued by this Tribunal. Despite this, the State Commission has chosen not to appear before this Tribunal. It appears that the State Commission is not interested in the matter. We have taken note of this negligent approach of the State Commission.

The matter is adjourned to **28.09.2015**. We request learned counsel for the Appellants to serve copy of this order on the State Commission. In case, the State Commission does not put in its appearance, we will be forced to go on with the Appeal without the assistance of the State Commission.

(T. Munikrishnaiah)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

Ts/vg