

**COURT-II**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(APPELLATE JURISDICTION)**

**APPEAL NO. 263 OF 2015 & IA NO. 1045 OF 2018**

**And**

**APPEAL NO. 275 of 2015 & IA No. 443 of 2015**

**Dated: 6<sup>th</sup> August, 2018**

**Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member**  
**Hon'ble Mr. S.D. Dubey, Technical Member**

**APPEAL NO. 263 OF 2015 &**  
**IA NO. 1045 OF 2018**

**In the matter of:**

<b>Damodar Valley Corporation</b>	....	<b>Appellant(s)</b>
<b>Vs.</b>		
<b>West Bengal Electricity Regulatory Commission</b>	....	<b>Respondent(s)</b>

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
Ms. Anushree Bardhan  
Ms. Poorva Saigal  
Mr. Shubham Arya

Counsel for the Respondent(s) : Mr. Rajiv Yadav (Impleader)  
  
Mr. C.K. Rai  
Mr. Sachin Dubey for R-1

**APPEAL NO. 275 of 2015 & IA No. 443 of 2015**

**In the matter of:**

<b>Damodar Valley Power Consumers Association &amp; Anr.</b>	...	<b>Appellant(s)</b>
<b>Vs.</b>		
<b>West Bengal Electricity Regulatory Commission &amp; Anr.</b>	...	<b>Respondent(s)</b>

Counsel for the Appellant (s) : Mr. Rajiv Yadav

Counsel for the Respondent(s) : Mr. C.K. Rai  
Mr. Sachin Dubey for R-1

Mr. M.G.Ramchandran  
Ms. Anushree Bardhan  
Ms. Poorva Saigal  
Mr. Shubham Arya for R-2

**ORDER**  
**APPEAL NO. 263 OF 2015 & IA NO. 1045 OF 2018**  
***(Appl. for impleadment)***

We have heard learned counsel appearing for the Appellant and learned counsel appearing for the Applicant.

The learned counsel, Mr. Rajiv Yadav, appearing for the Applicant submitted that the instant application for impleadment as proposed Respondent filed by the Applicant has been explained satisfactorily and sufficient cause shown in the application. The same may kindly be accepted.

Submission made by the learned counsel appearing for the Applicant, as stated above, is placed on record.

In the light of the submission made by the learned counsel appearing for the Applicant and after perusal of the application, the same is accepted and the IA is allowed. The applicant is permitted to come on record as proposed Respondent.

The Appellant is permitted to carry out necessary amendments and also to file the amended memo of parties in the registry.

**APPEAL NO. 263 OF 2015**  
**&**  
**APPEAL NO. 275 of 2015 & IA No. 443 of 2015**

Learned counsel appearing for the proposed Respondent prays for four weeks' time to file reply. The learned counsel, appearing for the Appellant also prays for three weeks time thereafter, to file his rejoinder to the reply to be filed by the Proposed Respondent.

Submissions made by the learned counsel appearing for both the parties, as stated above, are placed on record.

The learned counsel appearing for the proposed Respondent / Impleader is permitted to file the reply on or before 04.09.2018. Thereafter, the learned counsel appearing for the Appellant may file his rejoinder submission on or before 25.09.2018, after duly serving copy on the other side.

List these matters on **29.10.2018**, as agreed by the learned counsel appearing for both the parties

**(S.D. Dubey)**  
**Technical Member**

**(Justice N.K. Patil)**  
**Judicial Member**

*Bn/pr*