

COURT-II
Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA-38 of 2016 in Appeal No. 179 of 2015

Dated: **9th February, 2016**

Present: **Hon'ble Mr. Justice Surendra Kumar, Judicial Member**
Hon'ble Mr. T. Munikrishnaiah, Technical Member

In the matter of:-

Uttar Bharat Hydro Power Pvt. Ltd. Appellant (s)

Versus

Uttarakhand Power Corporation Ltd. & Anr. Respondent (s)

Counsel for the Appellant(s) : Mr. Raheel Kohli

Counsel for the Respondent(s) : Mr. Pradeep Misra
Mr. Shashank Pandit for R-1

Mr. Buddy A. Ranganadhan
Mr. D V Raghuvamsy for R-2

Mr. Matrugupta Misra for State Commission

ORDER

Perused the submission of Mr. Pradeep Misra, learned Counsel for R-1/Uttarakhand Power Corporation Limited (UPCL), and also gone through the contents of the IA No.38 of 2016 in Appeal No. 179 of 2015.

We have also perused the office report, dated 22.1.2016, wherein, in the relevant cause list, it is mentioned that Mr. Pradeep Misra has appeared for Respondent No. 1 and there is no mention of the fact that Respondent No.1 has not filed Vakalatnama on behalf of UPCL. In these circumstances, we modify our relevant order, dated 13.1.2016, to the effect that Vakalatnama has already been filed. The order stands modified to this extent only. In this light, the said **IA, being IA No.38 of 2016 in Appeal No. 179 of 2015, is disposed of.**

Mr. Pradeep Misra, learned counsel for Respondent No. 1 further submits that whatever reply he has filed before the State Commission, the same may be treated as his reply in **Appeal No.179 of 2015.**

Mr. Matrugupta Mishra, learned counsel for the State Commission submits that the Commission does not want to file counter affidavit and will rely upon its own impugned judgment. Of course, both the parties are free to file their respective written submissions if they so desire. Thus, pleadings in this appeal are complete.

Post the **Appeal No.179 of 2015** for hearing on **22nd March, 2016.**

(T. Munikrishnaiah)
Technical Member
hcj/vt

(Justice Surendra Kumar)
Judicial Member