

**COURT-II**

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

**Appeal No. 146 of 2015**

**Dated: 20<sup>th</sup> January, 2016**

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

**In the matter of :**

**State Load Despatch Centre**

**... Appellant(s)**

**Versus**

**Gujarat Electricity Regulatory Commission & Ors.**

**... Respondent(s)**

Counsel for the Appellant (s) : Mr. M. G. Ramachandran, Ms.Ranjitha  
Ramachandra, Ms Poorva Saigal and  
Mr. Shubham Arya

Counsel for the Respondent (s) : -

**ORDER**

As per the service of Affidavit, filed by the appellant, all the respondents in spite of having been served personally have not filed counter affidavit. Counter Affidavits were to be filed by 18<sup>th</sup> September, 2015 and on that date also none of the respondents were present. Even in the absence of respondents, we directed the respondents to file counter affidavit within three weeks and rejoinder within a week thereafter. On 16<sup>th</sup> September, 2015, the next date fixed was 26<sup>th</sup> November, 2015. Even by that date the respondents did not care to file the counter affidavit or reply to the appeal memorandum. Not only this even till today none of the respondents chose to file counter affidavit/reply. Thus many months have been given to respondents in order to enable them to file their counter affidavit/reply but they did not avail the opportunity.

Today Mr. Tushar Nagar, learned counsel for the State Commission submits that since it is a tariff matter and the main contesting respondent being the State Commission, the State Commission may be granted time to file counter affidavit/reply. We hereby direct the State Commission to file counter affidavit within a week from today. We make it clear that no other respondent is allowed to file counter affidavit/reply. The rejoinder be filed within a week thereafter.

Post the matter for hearing on **14<sup>th</sup> March, 2016.**

**( T. Munikrishnaiah )  
Technical Member  
ss/sh**

**( Justice Surendra Kumar )  
Judicial Member**