

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

Appeal No. 179 of 2015

Dated: 13th January, 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. Nitish Gupta for Mr. Raheel Kohli

Counsel for the Respondent(s) : Mr. Shashank Pandit for Mr. Pradeep
Misra and Mr. Manoj Kumar Sharma
R.No.1

Mr. Buddy A. Ranganadhan, Mr. Raghu
Vamsy and Mr. Raunka Jain for R.No.2

ORDER

Learned counsel for the Respondent No.1, Uttarakhand Power Corporation Ltd. as well as for State Commission pray for and are granted one week's time to file counter affidavit. It is made clear that if no counter affidavit/reply is filed within the said stipulated period by the contesting respondents, then no further time shall be granted as no leniency can be allowed in such matters.

A tendency has been developed in this Tribunal that many dates are being taken by the Government DISCOMs to file *vakalatnama* which is not appreciable. Copy of this order may be sent to the Chief Secretary and Power Secretary of Uttarakhand Government to see the state of affairs going on in the State DISCOM viz- not filing of Vakalatnama, Affidavit of service etc. Concerned authorities of the DISCOM are directed to remain vigilant in future in order that this practice may be curbed failing which this Tribunal shall be constrained to initiate strict action.

Post the matter for hearing on **09th February, 2016.**

(T. Munikrishnaiah)
Technical Member

RKT/SH

(Justice Surendra Kumar)
Judicial Member