

COURT-II

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

APPEAL NO. 258 OF 2015

Dated: 8th January, 2016

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

In the matter of:-

Punjab State Power Corporation Ltd. & Anr.	Versus	...Appellant(s)
M/s. G.N. General Mills & Anr.		...Respondent(s)

Counsel for the Appellant(s) : Mr. Jayatn Sud
Ms. Karunakar Malik

Counsel for the Respondent(s) : Mr. Sakesh Kumar for R-2

ORDER

Heard.

Admit.

The only point involved here in this Appeal is that the learned State Commission by using its inherent power for the ends of justice has exercised power to relax and condoned the delay of 10 days in submitting the option by the respondent as per clause 18.04 of the General Conditions of Tariff applicable for FY 2014-15 and directed the appellant to consider the load of the petitioner under General Industrial Category and charge the relevant applicable industrial tariff. It is to be seen in this Appeal whether the State Commission is justified in exercising the said powers for conversion of the category of the petitioner.

Mr. Sakesh Kumar, learned counsel accepts notice on behalf of the State Commission/respondent no.2. Mr. Arun Sharma, learned counsel accepts notice on behalf of the respondent no.1. Hence there requirement of service of notice

upon respondent nos.1 & 2 is dispensed with. Respondents may file their respective reply/counter affidavits within two weeks from today and rejoinder, if any, may be filed by the appellant within one week thereafter.

Post this Appeal for arguments on **3rd February, 2016.**

The State Commission is directed to proceed with the matter in accordance with law as the impugned order has not been stayed by this Appellate Tribunal.

(T. Munikrishnaiah)
Technical Member

rkt/dk

(Justice Surendra Kumar)
Judicial Member