

**COURT-II**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)**

**APPEAL NO. 155 OF 2014**

**Dated: 12<sup>th</sup> January 2018**

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

**In the matter of:**

**Southern Electricity Supply Co. of Odisha Ltd.**

**.... Appellant(s)**

**Vs.**

**Odisha Electricity Regulatory Commission & Ors.**

**.... Respondent(s)**

Counsel for the Appellant(s) : Ms. Varaa Masood

Counsel for the Respondent(s) : Mr. Rutwik Panda  
Ms. Anshu Malik for R-1

Mr. Raj Kumar Mehta  
Ms. Himanshi Andley for R-2

**ORDER**

We have heard Learned Counsel, Ms. Varaa Masood, appearing for the Appellant. She submitted that in spite of making their sincere efforts, they could not get any instruction whether the Appellant has engaged services of another Counsel. Therefore, she submitted that she is unable to make further submissions on the matter.

It is significant to note that when the case came up for consideration on 9<sup>th</sup> March, 2016, this Court had specifically made it clear that if by the next date of hearing, no response comes from the Appellant, we shall

certainly dispose of this appeal without any excuse. Thereafter on several occasions, the matter was adjourned at the request of the learned counsel appearing for the Appellant to enable him to take necessary instructions from the Appellant and get ready for arguments. In spite of their best efforts, they could not get any instruction from the Appellant whether they have made any arrangement for engagement of services of another Counsel. Today the case is taken up. No another Counsel has represented except the Counsel who represented Mr. Hasan Murtaza.

In view of the orders dated 9<sup>th</sup> March 2016 and 14<sup>th</sup> December 2017, what emerged is that the Appellant is not interested to pursue the case or to make alternative arrangement for another Counsel.

Keeping this fact into mind, the instant appeal is dismissed as for non-prosecution.

**(S.D. Dubey)**  
**Technical Member**  
*tpd/vg*

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