

COURT-I

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

**IA NO. 285 OF 2016 IN
DFR NO. 1136 OF 2016**

Dated: 3rd June, 2016

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of:

**Eminent Solar Power Pvt. Ltd. Appellant(s)
Versus
Uttrakhand Electricity Regulatory Commission & Ors. Respondent(s)**

Counsel for the Appellant (s) : Mr. Anurag Sharma

Counsel for the Respondent(s) : Mr. Buddy A. Ranganadhan
Mr. Raghu Vamsy for R-1

Mr. Pradeep Misra for R.2

ORDER

**IA NO. 285 OF 2016
(Appl. for leave to file the appeal)**

The appellant in this appeal is a Generating Company and is also a Special Purpose Vehicle of M/s ACME Solar Holding Private Limited, Gurgaon (**ACME**). In this appeal Order, dated 31.03.2016, is challenged. In this application, the appellant has prayed that it may be granted leave to file the appeal.

By our Order, dated 03.06.2016 in I.A. No. 284 of 2016 in DFR No. 1137 of 2016, we have granted leave to the appellant therein to file the appeal. In the said appeal, Order dated 31.03.2016 which is challenged in

this appeal is challenged. Facts in that appeal and the present appeal are similar.

In the circumstances, for the reasons stated in our Order, dated 03.06.2016 passed in I.A. No. 284 of 2016 in DFR No. 1137 of 2016, we grant leave to the appellant to file the present appeal. However, we make it clear that we have not expressed any opinion on the merits of the case.

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Registry is directed to number the appeal.

Admit. Issue notice. Mr. Buddy A. Ranganadhan takes notice on behalf of Respondent No.1 and Mr. Pradeep Misra takes notice on behalf of Respondent No.2 and they seek four weeks time to file reply. Notice be issued to the other respondents returnable on 06.09.2016. Dasti, in addition, is permitted.

List the matter on **06.09.2016**. In the meantime, learned counsel for the respondents may file reply on or before 04.07.2016 after serving copy on the other side. Thereafter, rejoinder may be filed on or before 19.07.2016 after serving copy on the other side.

(I.J. Kapoor)
Technical Member
ts/dk

(Justice Ranjana P. Desai)
Chairperson