

**COURT-II**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(APPELLATE JURISDICTION)**

**APPEAL NO. 148 OF 2018 & IA NO. 456 OF 2018**  
**& IA NO. 93 OF 2019 AND**  
**IA NO. 403 OF 2019 IN IA NO. 129 OF 2019**  
**IN APPEAL NO. 253 OF 2018**

**Dated : 18<sup>th</sup> March, 2019**

**Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member**  
**Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

**In the matter of:**

**APPEAL NO. 148 OF 2018 & IA NO. 456 OF 2018**  
**& IA NO. 93 OF 2019**

**Rajasthan Urja Vikas Nigam Limited & Ors. ... Appellant(s)**  
**Vs. ... Respondent(s)**  
**Central Electricity Regulatory Commission & Ors. ... Respondent(s)**

Counsel for the Appellant (s) : Ms. Swapna Seshadri  
Ms. Neha Garg  
Ms. Ashwin Ramanathan

Counsel for the Respondent(s) : Mr. Deepak Khurana for R-2  
Mr. Aashish Anand Bernard  
Mr. Paramhans Sahani for R-3  
Mr. M.G. Ramachandran  
Mr. Shubham Arya  
Ms. Poorva Saigal for R-4

**IA NO. 403 OF 2019 IN IA NO. 129 OF 2019**  
**IN APPEAL NO. 253 OF 2018**

**D.B. Power Ltd. ... Appellant(s)**  
**Vs. ... Respondent(s)**  
**Central Electricity Regulatory Commission & Ors. ... Respondent(s)**

Counsel for the Appellant (s) : Mr. Deepak Khurana

Counsel for the Respondent(s) : Mr. Aashish Anand Bernard  
Mr. Paramhans Sahani for R-2

Ms. Swapna Seshadri

Ms. Neha Garg  
Ms. Ashwin Ramanathan for R-3 to R-6

Mr. S. Vallinayagam for R-6

Mr. M.G. Ramachandran  
Mr. Shubham Arya  
Ms. Poorva Saigal for R-7

## **ORDER**

### **(IA No. 93 of 2019 - for delay in filing rejoinder)**

We have heard the learned counsel appearing for both the parties.

The learned counsel appearing for the Appellant submitted that, there is a delay of 13 days in filing the rejoinder which has been explained satisfactorily in the application. The same may kindly be accepted and delay may kindly be condoned.

Submissions made by the learned counsel appearing for the Appellant, as stated above, are placed on record.

In the light of the submission made by the learned counsel appearing for the Appellant and after perusal of the application explaining the delay in filing the rejoinder, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the rejoinder is condoned. IA No.93 of 2019, for delay in filing the rejoinder is allowed.

### **(IA NO. 403 OF 2019 – for urgent listing)** **IN IA NO. 129 OF 2019 IN APPEAL NO. 253 OF 2018**

Heard learned counsel appearing for the Appellant. The learned counsel appearing for the Appellant, at the outset submitted that the instant application is filed on the ground of urgent listing. Further, he has submitted that, in the light of the statement made in the instant application, the same may kindly be accepted and the Appellant may be permitted for amendment of the instant Appeal for raising additional grounds in the interest of justice and equity.

Submissions made by the learned counsel appearing for the Appellant, as stated above, are placed on record.

In the light of the statement made by the learned counsel appearing for the Appellant in the application and for the reasons stated for urgency therein, the same is accepted. Accordingly, the IA No. 403 of 2019 is allowed.

**IA NO. 129 OF 2019 IN APPEAL NO. 253 OF 2018**

Issue notice. Dasti, in addition, is permitted. The learned counsel appearing for the Respondent No.3 is permitted to file reply, if any, on or before 25.03.2019 after duly serving copy to the other side.

List these matters on **25.03.2019**.

**(Ravindra Kumar Verma)**

**Technical Member**

*mk/bn*

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

**Judicial Member**