

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

Appeal No. 155 of of 2014

Dated: 9th March, 2016

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

In the matter of:

Southern Electricity Supply Co. of Orissa Ltd.	...	Appellant(s)
Versus		
Orissa Electricity Regulatory Commission & Ors.	...	Respondent(s)
Counsel for the Appellant(s) :	Mr. Buddy A. Ranganadhan Mr. Hasan Murtaza	
Counsel for the Respondent(s):	Mr. Rutwik Panda & Ms. Anshu Malik for R-1/OERC Mr. Raj Kumar Mehta Mr. Abhishek Upadhyay & Ms. Himanshi Andley for R-2	

ORDER

Mr. Buddy A. Ranganadhan, learned counsel appearing for the Appellant submits that though he has already filed Vakalatnama in this matter and has been conducting the matter since beginning. But, today, he cannot say whether his engagement is continued by the appellant or not?

We have been granting continuous adjournments to the Appellant for arguments since April, 2015, which is almost one year. On 8.9.2015, we granted two weeks time to the Appellant to argue the matter and to file written submissions, if so liked. Since, there is a problem with Mr. Buddy A. Ranganadhan, learned counsel for the Appellant, we deem it proper to issue notice to the Appellant i.e. Southern Electricity Supply Co. of Orissa Ltd. requiring it to clarify its stand and to name the counsel who is actually to conduct this case.

One fact was mentioned by us in our order, dated 10.4.2015, that since the Appellant's license had been revoked by the State Commission and the matter regarding the revocation of license was pending before the another Bench of this Appellate Tribunal, due to this reason, this appeal could not be heard. We cannot indefinitely adjourn the appeal just on the ground that another appeal challenging revocation of the license by the State Commission is pending before another Bench of this Appellate Tribunal. After all, the appeals are to be decided within 180 days from the date of its filing. We hope that the Appellant will understand the situation and cooperate in early disposal of this appeal; otherwise, we would be constrained to dispose-of this appeal according to law.

Mr. R.K. Mehta, learned counsel for the Respondent No.2 and Mr. Rutwik Panda, learned counsel for the Respondent No.1/State Commission are present.

We, further, make 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.

Post this matter for hearing on 29th April, 2016.

(T. Munikrishnaiah)
Technical Member

(Justice Surendra Kumar)
Judicial Member