

COURT-II

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

Appeal No. 188 of 2015 & IA Nos. 352 and 353 of 2015

Dated: 1st March, 2016

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

In the matter of:-

Torrent Power Ltd.	Appellant(s)
Versus		
Uttar Pradesh Electricity Regulatory Commission & Ors.	Respondent(s)
Counsel for the Appellant(s) :		Ms. Deepa Chawan Mr. Hardik Luthra, Mr. Ravindra R. Chile
Counsel for the Respondent(s) :		Mr. C.K. Rai & Mr. Paramhans for R-1/UPERC Mr. Pradeep Misra for R-2/UPPCL Ms. Alka Agarwal for R-3/DVVNL

ORDER

As per the learned counsel for the contesting parties, pleadings in this appeal are complete. The only question in this appeal is whether the State Commission is competent to pass an interim order in a petition under section 86 of the Electricity Act, 2003.

We have been told that Respondent No.4 is one Mr. Ramashankar Awasthi has sent some e-mail to the Registrar of this Appellate Tribunal. Though, the e-mail is before us, we request the Registrar of this Appellate Tribunal to go through the rules of this Appellate Tribunal and see whether any communication through e-mail by any party or by any person is permissible under rules of this Appellate Tribunal. We cannot grant adjournment to any of the party based on some email addressed to the Registrar of this Appellate Tribunal.

It is true that service of notice, etc. can be sent through email but does not cover the field of sending communication through email to the Registrar relating to any matter pending before this Appellate Tribunal.

Mr. Ramashankar Awasthi, Respondent No.4 is directed to show the rule of this Appellate Tribunal under which he has sent this email addressed to the Registrar of this Appellate Tribunal on the next day. Otherwise, he will have to be dealt with in accordance with rules of this Appellate Tribunal.

At the request of the learned counsel for the Appellant for adjournment, post the matter for arguments on **23rd March, 2016**. Interim order shall continue to the next date.

**(T. Munikrishnaiah)
Technical Member**

**(Justice Surendra Kumar)
Judicial Member**

vt/kt