

**COURT-II**

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

**Appeal No. 28 of 2016 & IA No. 80, 159 & 160 of 2016,  
Appeal No.235 of 2015 & IA No.387 of 2015,  
Appeal No.191 of 2015 & IA Nos. 331/15, 156/16, 157/16 & 158/16  
Appeal No.202 of 2015 & IA Nos. 339 & 442 of 2015  
And Appeal No.264 of 2015 & IA Nos. 420 & 421 of 2015**

**Dated : 28<sup>th</sup> March, 2016**

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

**Appeal No. 28 of 2016 & IA Nos. 80, 159 & 160 of 2016**

**In the matter of:**

**M/s. Lanco Power Ltd. .... Appellant(s)  
Versus**

**Rajasthan Electricity Regulatory Commission & Ors. .... Respondent(s)**

Counsel for the Appellant (s) : Mr. Deepak Khurana &  
Ms. Aditi Sharma  
Mr. Hemant Singh Jha for R-10

Counsel for the Respondent (s) : Mr. Raj Kumar Mehta for R-1 (RERC)  
Mr. Abhishek V. Deshmukh for R-9  
Mr. Vaibhav Joshi & Mr. Prabal Mahrotra for R-11  
Mr. Ravi Kishor for R-8  
Mr. Puneet Jain & Ms. Chhaya Kirti for R-2  
Mr. Anand K. Ganesan  
Mr. Sandeep Raj Purohit for R-3,4,5 & 7

**Appeal No. 235 of 2015 & IA No. 387 of 2015**

**D.B. Power Limited .... Appellant(s)  
Versus**

**Rajasthan Electricity Regulatory Commission & Ors .... Respondent(s)**

Counsel for the Appellant (s) : Mr. Hemant Singh Jha

Counsel for the Respondent (s) : Mr. Raj Kumar Mehta for R-1 (RERC)  
Mr. Abhishek V. Deshmukh for R-9  
Mr. Vaibhav Joshi & Mr. Prabal Mahrotra for R-11  
Mr. Ravi Kishor for R-8  
Mr. Deepak Khurana & Ms. Aditi Sharma for R-10  
Mr. Puneet Jain & Ms. Chhaya Kirti for R-2

Mr. Anand K. Ganesan  
Ms. Swapna Seshadri  
Mr. Sandeep Raj Purohit for R-3,4,5 & 7

**A.No.191 of 2015 & IA Nos. 331 of 2015**  
**And IA Nos. 156, 157 & 158 of 2016**

**Lanco Power Limited** ..... **Appellant(s)**  
**Versus**  
**Rajasthan Electricity Regulatory Commission & Ors.** ..... **Respondent(s)**

Counsel for the Appellant (s) : Mr. Deepak Khurana &  
Ms. Aditi Sharma

Counsel for the Respondent (s) : Mr. Raj Kumar Mehta for R-1 (RERC)  
Mr. Abhishek V. Deshmukh for R-9  
Mr. Vaibhav Joshi  
Mr. Prabal Mahrotra for R-11  
Mr. Ravi Kishor for R-8  
Mr. Anand K. Ganesan  
Ms. Swapna Seshadri for R-3,4,5 & 7  
Mr. Puneet Jain &  
Ms. Chhaya Kirti for R-2  
Mr. Hemant Singh Jha for R-10

**A.No.202 of 2015 & IA No. 339 & 442 of 2015**

**Athena Chhattisgarh Power Limited** ..... **Appellant(s)**  
**Versus**  
**Rajasthan Electricity Regulatory Commission & Ors.** ..... **Respondent(s)**

Counsel for the Appellant (s) : Mr. Pankanj Kumar Singh  
Mr. Kaushal Kumar

Counsel for the Respondent (s) : Mr. Raj Kumar Mehta for R-1 (RERC)  
Mr. Abhishek V. Deshmukh for R-9  
Mr. Vaibhav Joshi  
Mr. Prabal Mahrotra for R-12  
Mr. Ravi Kishor for R-8  
Mr. Anand K. Ganesan for R-3,4,5 & 7  
Mr. Deepak Khurana  
Ms. Aditi Sharma for R-11  
Mr. Puneet Jain &  
Ms. Chhaya Kirti for R-2  
Mr. Hemant Singh Jha for R-10

**A No.264 of 2015 & IA Nos. 420 & 421 of 2015**

**SKS Power Generation (Chhattisgarh) Ltd.** ..... **Appellant(s)**  
**Versus**

Counsel for the Appellant (s) : Mr. Prabal Mehrotra &  
Mr. Vaibhav Joshi  
Counsel for the Respondent (s) : Mr. Raj Kumar Mehta for R-1 (RERC)  
Mr. Abhishek V. Deshmukh for R-9  
Mr. Prabal Mahrotra for R-12  
Mr. Ravi Kishor for R-8  
Mr. Anand K. Ganesan  
Mr. Sandeep Raj Purohit for R-3,4,5 & 7  
Mr. Deepak Khurana  
Ms. Aditi Sharma for R-11  
Mr. Puneet Jain &  
Ms. Chhaya Kirti for R-2  
Mr. Hemant Singh Jha for R-10

### **O R D E R**

In this batch of Appeals, being Appeal No.28 of 2016 & Batch, the learned counsel for the Appellant submits that in response to the counter affidavits filed by R-2 and R-3 to 5, the appellant has already filed rejoinder affidavit. He states that the other respondents in spite of due service have chosen not to file any counter affidavit/reply to the appeal memorandum. Since, the counter affidavit has been taken on record, all the applications in Appeal No. 28 of 2016 & IA No. 80 of 2016, requesting for Condonation of Delay in filing rejoinder affidavit/counter affidavit are hereby disposed of.

So far as Appeal No.191 of 2015 is concerned, Respondent No. 11 has also filed counter affidavit/reply in IA No. 158 of 2016.

Without giving details in these appeals, we are directing all the parties to complete their pleadings in all these appeals within two weeks from today positively and no further time shall be granted to either of the party for the same.

Post this batch of appeals for hearing on **31<sup>st</sup> May, 2016.**

**(T. Munikrishnaiah)**  
**Technical Member**

**(Justice Surendra Kumar)**  
**Judicial Member**

sh/kt