

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

Appeal No.48 of 2015

Dated : 28th March, 2016

Present : Hon'ble Mr. Justice Surendra Kumar, Judicial Member
Hon'ble Mr. I. J. Kapoor, Technical Member

In the matter of:

M/s Maithon Power Ltd. ...Appellant(s)
Versus
Central Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant : Mr. Amit Kapur
Mr. Vishal Anand
Mr. Janmali M.
Counsel for the Respondent(s) : Mr. Alok Shankar for R-2

ORDER

We perused our earlier order dated 03.09.2015 wherein it was mentioned that the learned counsel for the Respondent No. 2 – 'Discom' did not want to file any counter affidavit to the appeal memo. Thus, no counter affidavit was filed by Respondent No. 2. Further, instead of giving repeated time and opportunities to the Respondent Nos. 1 and 3 to 5 to file counter affidavit to the appeal memo, none of the Respondents have chosen to file counter affidavit.

We have heard Mr. Amit Kapur, learned counsel for the Appellant at length and taken us through written submissions and various provisions of the Damadar Valley Corporation Act, 1948. He has concluded his arguments. Mr. Alok Shankar, learned counsel for Respondent No. 2 - 'TDPL' submits that he is not opposing the Appeal.

Judgment is reserved.

(I. J. Kapoor)
Technical Member
mk/vt

(Justice Surendra Kumar)
Judicial Member