

COURT-II

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

Appeal No. 196 of 2015 & IA 335 of 2015
Appeal No. 186 of 2015 & IA 318 of 2015
&
O.P No.1 of 2015

Dated: 04 November, 2015

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

Appeal No. 196 of 2015 & IA 335 of 2015

In the matter of :

BSES Rajdhani Power Ltd & Anr. ...Appellant(s)

Versus

Delhi Electricity Regulatory Commission ...Respondent(s)

Counsel for the Appellant(s) : Mr. Hasan Murtaza

Counsel for the Respondent(s) :

Appeal No. 186 of 2015 & IA 318 of 2015

Tata Power Delhi Distribution Ltd., ...Appellant(s)

Versus

Delhi Electricity Regulatory Commission ...Respondent(s)

**Counsel for the Appellant(s) : Mr. Gopal Jain, Sr. Adv.
Mr. Alok Shanker**

Counsel for the Respondent(s) :

O.P No.1 of 2015

Tata Power Delhi Distribution Ltd., **...Appellant(s)**
Versus
Delhi Electricity Regulatory Commission **...Respondent(s)**

Counsel for the Appellant(s) : Mr. Gopal Jain, Sr. Adv.
 Mr. Alok Shakar,
 Mr. Ashok Kumar Singh,
 Mr. Nayantara Panday,

Counsel for the Respondent(s) : Mr. Hasan Murtaza
 for Intervener

ORDER

Appeal Nos.196 of 2015, 186 of 2015 and one Original Petition being OP No.1 of 2015 have been tagged by the earlier orders of this Tribunal.

In OP No.1 of 2015, the pleadings are said to be already completed. In both the above Appeals, the sole Respondent DERC prays for and is granted two weeks' time to file the Counter Affidavit. No more time shall be granted to the Commission. In the past also, the DERC was given time to file the Counter Affidavit and reply but it did not comply with the orders of this Tribunal.

We warn the DERC to be careful in future and comply with orders of this Tribunal otherwise be ready to pay heavy cost for non compliance, irrespective of the fact that DERC is a State Commission just like the lower court in civil matters.

Rejoinder, if any, be filed within a week's thereafter.

Post the Appeals and OP for hearing on **02 December, 2015.**

(T. Munikrishnaiah)
Technical Member
hcj/vg

(Justice Surendra Kumar)
Judicial Member