

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

Appeal No. 02 of 2015

Dated : 23rd November, 2015

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

In the matter of:

Gujarat Urja Vikas Nigam Ltd.
Versus
Gujarat Electricity Regulatory
Commission & Anr.

.... Appellant(s)

.... Respondent(s)

Counsel for the Appellant (s) : Mr. Anand K. Ganesan
Ms. Ranjitha Ramachandran

Counsel for the Respondent (s) : Mr. Gopal Jain, Sr. Adv.
Mr. Alok Shankar,
Mr. Mahesh Aggarwal,
Mr. Nitish Gupta,
Mr. Vikrant Pachnanda &
Mr. Satyendra Kumar for R-2
Ms. Superna Srivastava with
Mr. S.R. Pandey (Rep) for
GERC
Mr. Tarbez Malawat &
Mr. Hemant Singh for R-1

ORDER

I.A. No. 389 of 2015 has been moved on behalf of the appellant seeking direction of this Appellate Tribunal for the purpose of returning back the sur-rejoinder dated 18.09.2015 filed by the respondent no.2 in reply to the rejoinder of the appellant whereby the respondent no.2 has added few documents as Annexures. Learned counsel for the

respondent no.2 candidly submits that he does not want to press the contents of the documents annexed with the sur-rejoinder dated 18.09.2015 as the respondent no.2 is withdrawing the said sur-rejoinder. Thus, I.A. No. 389 of 2015 has become infructuous and the same is accordingly disposed of. Let sur-rejoinder alongwith the documents be returned back to the respondent no.2.

We further make it clear today that if respondent no.2 or any party to the Appeal Memorandum wants to file any additional material or documentary evidence, the proper application seeking permission of this Tribunal be moved according to the procedure prescribed under CPC within two weeks' time from today. Thereafter, this Tribunal shall proceed with the arguments in this Appeal without considering any request in future for additional documents.

Post this Appeal for hearing on 11th & 12th January, 2016.

(I. J. Kapoor)
Technical Member
rkt/kt

(Justice Surendra Kumar)
Judicial Member