

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

Appeal No.206 of 2014

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:

West Bengal State Electricity Distribution Co. Ltd. Appellant(s)
Versus

West Bengal Electricity Regulatory Commission Respondent(s)

Counsel for the Appellant (s) : Mr. Krishnan Venugopal, Sr. Adv.
Mr. Sakya Singh Chaudhary,
Mr. Anand Shrivastava &
Mr. Saraswa Mohapatra

Counsel for the Respondent (s) : Mr. Prateek Dhar, Sr. Adv.
Mr. Paramhans,
Mr. C.K. Rai for WBERC
Mr. Subhash Bandyopadhyay

ORDER

Interlocutory Application No. 439 of 2015 in Appeal No. 206 of 2014 has been moved on behalf of All Bengal Electricity Consumers' Association (for short, 'ABECA') praying therein for impleadment in the Appeal Memorandum. In order to ensure the interest of the consumers in the State of West Bengal, it is submitting by ABECA that there should not be unreasonable increase in the tariff which is already high for the common consumers in the State of West Bengal.

Keeping in mind, the interest of justice, the concept of natural justice and without going into the intricacies of the matter, we deem it

proper to allow All Bengal Electricity Consumers' Association (ABECA) to be impleaded as respondent to the main Appeal.

The appellant has raised objection to the impleadment of the ABECA as respondent. The sole respondent/State Commission in this matter is represented by Shri Prateek Dhar, learned Senior Advocate, who has no objection if the said I.A. of the ABECA is allowed and it is heard on merits. We may mention here that the Intervener does not want to raise any new point to the pleadings which are already on record of the State Commission. It is submitted by ABECA that it simply wants to file its Written Submissions before this Tribunal. At this stage, we are of the opinion that no harm is going to be caused if the Intervener files its Written Submissions and is allowed to be heard on merits of the impugned order. In these circumstances, we allow I.A. No. 439 of 2015 in A.No. 206 of 2014. The appellant is directed to implead All Bengal Electricity Consumers' Association (ABECA) as respondent in the Appeal Memorandum within two weeks' time from today. ABECA is directed to supply copy of its Written Submissions to the appellant as well as respondent before its being presented before this Tribunal.

Since the said Appeal involves as many as 19 issues which is going to take considerable time of the Court, post this matter for hearing on 19th & 20th January, 2016.

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

(Justice Surendra Kumar)
Judicial Member