

**COURT-I**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)**

**IA Nos. 604 & 605 OF 2016 IN  
DFR No. 3595 OF 2016**

**Dated: 21<sup>st</sup> November, 2016**

**Present : Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. I.J.Kapoor, Technical Member**

**In the matter of:**

**Subhash Infraengineers Pvt. Ltd. & Anr. ....Appellant (s)**

**Vs.**

**Haryana Electricity Regulatory Commission & Anr. ....Respondent (s)**

Counsel for the Appellant (s) : Mr. Anand K.Ganesan  
Mr. Sandeep Rajpurohit

Counsel for the Respondent (s) : Mr. Nishant Ahlawat for R-1  
Mr. Aditya Singh for R-2

**ORDER**

**IA No. 605 OF 2016  
*(Application for leave to file the Appeal)***

In this application, the Applicant/Appellant has prayed for leave to file the instant appeal. The Respondents have been served on 15.11.2016 and affidavit of service is filed on 18.11.2016. The office record also shows that notice issued by the court has also been served. Despite service no reply has been filed to the present Application.

We have heard learned counsel for the parties. The following is the explanation given by the Appellant in paragraph Nos. 3 and 5 of the Application:

***“3. It is submitted that by virtue of the impugned order, the power purchase from the Appellants and one other generator has been rejected by the State Commission, when the PPA was signed pursuant to a reverse bidding process conducted, the plant has been constructed and commissioned and electricity has begun to be supplied by the Appellants to Respondent No.2.***

***4. ....***

***5. The Appellants are aggrieved persons, as the PPA has been rejected and the power plants have been left stranded.”***

Having heard learned counsel for the parties and on a perusal of the explanation offered by the Appellant, we are of the opinion that leave should be granted to the Appellant to file the instant Appeal. Hence, leave is granted. Application is disposed of.

List the matter on **06.12.2016**.

**(I.J.Kapoor )  
Technical Member**

ts/kt

**(Justice Ranjana P. Desai )  
Chairperson**