

COURT-I**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)****IA NOS. 696 & 698 OF 2017 IN
DFR NO. 2606 OF 2017****Dated: 11th October, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member****In the matter of:****Coastal Energen Private Limited****... Appellant(s)****Vs.****Central Electricity Regulatory Commission & Ors.****.... Respondent(s)**

Counsel for the Appellant(s)

: Ms. Matrugupta Mishra
Ms. Shikha Ohri
Mr. Hemant Singh
Mr. Nishant Kumar

Counsel for the Respondent(s)

: Mr. M. G. Ramachandran
Ms. Swapna Seshadri
Ms. Rhea Luthra for R-2

Mr. Rakesh K. Sharma

Mr. Nishant for R-4, 9, 10, 11 & 12

Mr. S. Vallinayagam for R-6

ORDER**IA NO. 696 OF 2017*****(Appl. for condonation of delay)***

There is 333 days' delay in filing this appeal. In this application, the Applicant/Appellant has prayed that delay may be condoned.

All the Respondents have been served. Mr. M.G. Ramachandran appears on behalf of Respondent No.2; Mr. Vallinayagam appears on

behalf of Respondent No.6 and Mr. Rakesh Kumar Sharma appears on behalf of Respondent Nos. 4, 9, 10, 11 and 12. Other Respondents, though served, are not represented.

We have heard learned counsel for the Appellant and perused the explanation offered for the delay in filing the appeal. It appears that Respondent No.2 has filed a review petition, which was disposed of on 29.06.2017. Thereafter, the appeal has been prepared and filed before this Tribunal on 11.08.2017. We find the explanation to be acceptable. Sufficient cause has been made out. Hence, delay is condoned. Application is disposed of.

I.A. NO. 698 of 2017

(Appl. for stay)

We are informed by learned counsel for the appellant that the amount of Rs. 15.43 crores has been deposited with Respondent No.2 under protest. In view of this statement, this application has become infructuous and is disposed of as such.

DFR No. 2606 of 2017

Registry is directed to number the appeal. With the consent of the parties the matter is taken up for admission.

Admit. Issue notice to the respondents returnable on 12.12.2017. Mr. M.G. Ramachandran takes notice on behalf of Respondent No.2; Mr. Vallinayagam takes notice on behalf of Respondent No.6 and Mr. Rakesh Kumar Sharma appears on behalf of Respondent Nos. 4, 9, 10, 11 and 12 and they seek four weeks time to file reply.

List the matter on **12.12.2017**. In the meantime, learned counsel for the respondents may file reply on or before 09.11.02017 after serving copy on the other side. Rejoinder may be filed within two weeks thereafter.

(I. J. Kapoor)
Technical Member

ts/tpd

(Justice Ranjana P. Desai)
Chairperson