

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 13 OF 2018 &
IA NO. 1516 OF 2018

Dated: 25th October, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of:

Jaiprakash Power Ventures Limited **Appellant(s)**
Vs.
Central Electricity Regulatory Commission & Anr. **Respondent(s)**

Counsel for the Appellant(s) : Mr.Paras C.

Counsel for the Respondent(s) : Ms. Suparna Srivastava
Ms. Nehul Sharma for R-2

ORDER

(On IA NO. 1516 OF 2018- Delay in filing rejoinder)

We have heard the learned counsel, Mr. Paras C. appearing for the Appellant and the learned counsel, Ms. Suparna Srivastava appearing for the second Respondent. The first Respondent, though served, unrepresented.

The learned counsel appearing for the Appellant submitted that, there is a delay of 34 days in filing rejoinder to the reply filed by the second Respondent. Further, he submitted that, in the light of the submission made and the reasoning given in the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing rejoinder may kindly be condoned and the instant IA may kindly be allowed in the interest of justice and equity.

Submission made by the learned counsel appearing for the Appellant, as stated above, is placed on record.

In the light of the submission made by the learned counsel appearing for the Appellant and after perusal of the reasoning given in the application explaining the delay in filing rejoinder to the reply filed by the second Respondent, we find it

satisfactory as sufficient cause has been shown in the application. The same was accepted and the delay in filing rejoinder to the reply filed by the second Respondent is condoned. IA is allowed.

APPEAL NO. 13 OF 2018

Learned counsel appearing for the Appellant and learned counsel appearing for the second Respondent submitted that, pleadings in the instant case are complete and the matter may kindly be posted for hearing.

Submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the second Respondent, as stated above, are placed on record.

List this matter for hearing on **11.02.2019**, as requested and agreed by the learned counsel appearing for the Appellant and the learned counsel appearing for the second Respondent.

(S.D. Dubey)
Technical Member
vt/pk

(Justice N.K. Patil)
Judicial Member