

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

APPEAL NO. 287 OF 2015 &
IA NO. 468 OF 2015 &
IA NO. 654 OF 2018

Dated: 09th July, 2018

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

In the matter of:

M/s Swasti Power Ltd.

.... Appellant(s)

Vs.

Uttarakhand Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Tarun Johri
Mr. Ankit Saini

Counsel for the Respondent(s) : Mr. Raunak Jain
Mr. Vishvendra Tomar
for Mr. Buddy A. Ranganadhan for R-1
Mr. Pradeep Misra
Mr. Manoj Kumar Sharma for R.2

ORDER
IA NO. 468 OF 2015

(Appln. for exemption from filing certified & typed copies of annexures)

The learned counsel, Mr. Tarun Johri, appearing for the Appellant submitted that, the instant application has been filed by the Appellant, praying for exemption from filing certified & typed copies of annexures. The reasoning stated in the application may kindly be accepted and prayer sought in the application may kindly be granted 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 statement made by the learned counsel appearing for the Appellant and the reasons stated in the application, the same was accepted and exemption from filing certified/typed copies of the annexures is allowed at the risk of the learned counsel appearing for the Appellant. With these observations, the instant IA being IA No. 468 of 2015 stands disposed of.

IA No. 654 of 2018
(For Delay in filing written submission)

The learned counsel appearing for the Appellant submitted that, there is a delay of 52 days in filing written submission. Further, he was quick to point out and submitted that, in the light of the submissions 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. Delay in filing written submission may kindly be condoned and the instant application 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 submissions made by the learned counsel appearing for the Appellant and after perusal of the reasoning given in the application explaining the delay in filing written submission, we find it satisfactory as sufficient cause has been shown in the application. The same is accepted and the delay in filing written submission is condoned. IA No. 654 of 2018 is allowed.

APPEAL NO. 287 OF 2015

The learned counsel appearing for the Appellant and the learned counsel appearing for the Respondents submitted that pleadings are complete in this matter.

Further, the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondents seek two weeks' time to file their respective written submissions in this matter.

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

The learned counsel appearing for the Appellant and the learned counsel appearing for the Respondents are permitted to file their respective written submissions in this matter by 23.07.2018 after duly serving copy on the other side.

List this matter for hearing on **26.07.2018**, as agreed by the learned counsel appearing for the Appellant and the learned counsel for the Respondents.

(S.D. Dubey)
Technical Member

(Justice N. K. Patil)
Judicial Member

tpd/vt