

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

**APPEAL NO. 37 OF 2018 &**  
**IA NOS. 104, 822 & 860 OF 2018,**  
**APPEAL NO. 102 OF 2018 AND**  
**APPEAL NO. 129 OF 2018**

**Dated: 11<sup>th</sup> July, 2018**

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

**APPEAL NO. 37 OF 2018 &**  
**IA NOS. 104, 822 & 860 OF 2018**

**In the matter of:**

**Mr. Rama Shankar Awasthi**  
**Vs.**

**... Appellant(s)**

**Uttar Pradesh Power Corporation Ltd & Ors.**

**... Respondent(s)**

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
Mr. Shubham Arya  
Mr. Pulkit Agarwal

Counsel for the Respondent(s) : Mr. Rajiv Srivastava  
Ms. Garima Srivastava  
Ms. Gargi Srivastava for R-1

Mr. C.K. Rai for R-3

Mr. Rupesh Kumar for R-5 & R-7

Mr. Himanshu Upadhyay for R-6

Ms. Suparna Srivastava  
Ms. Sanjana Dua for R-10

**APPEAL NO. 102 OF 2018**

**In the matter of:**

**PSPN Synergy Pvt. Ltd.**  
**Vs.**

**... Appellant(s)**

**Uttar Pradesh Electricity Regulatory Commission (UPERC) & Ors. ... Respondent(s)**

**APPEAL NO. 129 OF 2018**

**In the matter of:**

**Salasar Green Energy Private Limited (A Project Company**  
**formed by M/s N. P. Agro (India) Industries Limited)**

**.... Appellant(s)**

**Versus**

**Uttar Pradesh Electricity Regulatory Commission (UPERC) & .... Respondent(s)  
Ors.**

Counsel for the Appellant(s) : Mr. Sourav Roy

Counsel for the Respondent(s) : Mr. C.K. Rai for R-1

Mr. Rajiv Srivastava  
Ms. Garima Srivastava  
Ms. Gargi Srivastava for R-2

**ORDER**

(On IA NO. 822 2018- Delay in filing reply)

We have heard the learned counsel appearing for both the parties.

The learned counsel, Ms. Sanjana Dua, appearing for the tenth Respondent submitted that, there is a delay of 69 days in filing the reply which has been explained satisfactorily in the application. The same may kindly be accepted and delay may kindly be condoned.

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

In the light of the submission made by the learned counsel appearing for the tenth Respondent and after perusal of the application explaining the delay in filing the reply, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the reply is condoned. IA, being IA No. 822 of 2018, for delay in filing the reply is allowed.

(On IA NO. 860 2018- Delay in filing reply)

We have heard the learned counsel appearing for both the parties.

The learned counsel, Mr. Himanshu Upadhyay, appearing for the sixth Respondent submitted that, there is a delay of 70 days in filing the reply which has been explained satisfactorily in the application. The same may kindly be accepted and delay may kindly be condoned.

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

In the light of the submission made by the learned counsel appearing for the sixth Respondent and after perusal of the application explaining the delay in filing the reply, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the reply is condoned. IA, being IA No. 860 of 2018, for delay in filing the reply is allowed.

**APPEAL NO. 37 OF 2018 & IA NO. 104 OF 2018,**  
**APPEAL NO. 102 OF 2018 AND**  
**APPEAL NO. 129 OF 2018**

The learned counsel, Mr. Rajiv Srivastava appearing for the first Respondent in Appeal No. 37 of 2018 and appearing for the second Respondent in Appeal Nos. 102 of 2018 and 129 of 2018, prays for another four weeks time to file his reply in this matter.

Submission made by the learned counsel, Mr. Rajiv Srivastava, appearing for the Respondents, as stated above, is placed on record.

Another four weeks time is granted to the learned counsel, Mr. Rajiv Srivastava, appearing for the Respondents. He may file the same by 08.08.2018, after duly serving copy on the other side. Thereafter, rejoinder, if any, may be filed by the Appellant by 29.08.2018, after duly serving copy on the other side.

List this matter on **06.09.2018**, as agreed by the learned counsel appearing for the Appellant and the Respondents.

**(S.D. Dubey)**  
**Technical Member**

**(Justice N. K. Patil)**  
**Judicial Member**

vt/js