

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

**APPEAL NO. 71 OF 2018 &**  
**IA NOS. 85 & 738 OF 2018**

**Dated : 19<sup>th</sup> July, 2018**

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

**In the matter of:**

**BSES Yamuna Power Limited**

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

**Vs.**

**Delhi Electricity Regulatory Commission**

**.... Respondent(s)**

Counsel for the Appellant (s) : Mr. Buddy A.Ranganadhan  
Ms. Bhargavi Kannan  
Ms. Aishwarya Modi

Counsel for the Respondent(s) : Mr. Pradeep Misra for R-1

**ORDER**  
**(IA NO. 738 OF 2018 – for Direction)**

We have heard the learned counsel, Mr. Buddy A. Ranganadhan, appearing for the Appellant and the learned counsel, Mr. Pradeep Misra, appearing for the Respondent.

The learned counsel appearing for the Appellant, at the outset, submitted that, in the instant application, the Appellant prays that the instant application may kindly be allowed permitting the Appellant to delete ground no. 32 of the Appeal Memo reserving liberty to the Appellant to redress the said ground before Delhi Electricity Regulatory Commission with all the contentions being left open in the interest of justice and equity.

The learned counsel appearing for the Respondent, inter-alia, fairly submitted that, the submissions made by the learned counsel appearing for the Appellant may kindly be taken on record and the instant application may be allowed and disposed of accordingly.

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

In the light of the submissions made by the learned counsel appearing for the Appellant and the statement made in the instant application, the same are accepted. IA is allowed and stands disposed-of permitting the Appellant to delete ground no. 32 of the Appeal Memo reserving liberty to the Appellant to redress the said ground before Delhi Electricity Regulatory Commission. All the contentions are left open. With these observations, the instant IA stands disposed of.

**APPEAL NO. 71 OF 2018 &**  
**IA NO. 85 OF 2018**

The learned counsel, Mr. Pradeep Misra, appearing for the Respondent prays for another six weeks time to file his reply to the appeal.

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

Another six weeks time is extended to the learned counsel appearing for the Respondent. He is permitted to file his reply in this matter by 31.08.2018 with IA, after duly serving copy on the other side. Thereafter, rejoinder if any, may be filed by 17.09.2018, after duly serving copy on the other side.

List this matter on **13.11.2018**, as agreed by the learned counsel appearing for the Appellant and the Respondent.

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

*js/vt*

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