

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

APPEAL NO. 90 OF 2018 AND
IA NOS. 364 OF 2018 & 544 OF 2018

Dated: 08th May, 2018

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

In the matter of:

Damodar Valley Corporation

.... Appellant(s)

Versus

Central Electricity Regulatory Commission &Ors.

.... Respondent(s)

Counsel for the Appellant (s) : Mr. Vikas Singh, Sr. Adv.
Mr. Ajay Sharma
Ms. Deepika Kalia
Mr. Kapish Seth
Ms. Srishti Banerjee
Mr. Abhinav Shrivastava

Counsel for the Respondent(s) : Mr. Deep Rao for R-2

Mr. Ambuj Dixit, Adv, representing
Mr. Hasan Murtaza for R-3

ORDER

IA No.544 of 2018
(for condonation of delay in filing reply)

The learned counsel, Mr. Deep Rao, appearing for the second Respondent submitted that there is a delay of 18 days in filing the reply which has been explained satisfactorily and sufficient cause has been made out in the application. The same may kindly be accepted and delay in filing the reply may kindly be condoned.

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

In the light of the submission made by the learned counsel appearing for the second 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. The IA, being IA No.544 of 2018 (*for delay in filing the reply*) is allowed.

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Learned counsel appearing for the Respondent No. 3 prays for further time of six weeks' time to file the reply. Learned counsel appearing for the Appellant prays for three weeks' time' to file rejoinder thereafter.

Submissions made by learned counsel appearing for both the parties are placed on record.

Learned counsel appearing for the Respondent No. 3 is permitted to take steps for filing the reply on or before 20.06.2018 after serving copy on the other side and learned counsel appearing for the Appellant is permitted to file the rejoinder on or before 10.07.2018 after serving copy on the other side.

Re-list this matter on **23.07.2018**, as requested by the learned counsel appearing for both the parties.

(S.D. Dubey)
Technical Member

(Justice N. K. Patil)
Judicial Member

Bn/pr