

COURT – I

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

**IA No.92 of 2012,
IA No.93 of 2012 &
IA No.94 of 2012 in
DFR No.1771 of 2011**

Dated : 2nd April, 2012

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member**

M/s. M.S. Bezbaruah

... Appellant(s)

Versus

**North Eastern Electric Power Corporation
Ltd. & Ors.**

....Respondent(s)

Counsel for the Appellant(s): Ms. Sakie Jakharia

ORDER

**IA No.94 of 2012
*(for waiver of court fee)***

In fact, we have already passed an Order on 20.03.2012 stating that no ground is made out for waiver of the court fee. However, we were pleased to grant some time to the learned counsel for the Applicant to get instructions from her client. Accordingly, the matter was posted on 26.3.2012. On 26.03.2012, again time was sought. We have granted time till today.

Today, the learned counsel for the Applicant has filed her written notes with reference to the merits of the Appeal as well as the issue relating to the waiver of the court fee.

We cannot go into the merits of the Appeal as the same has not been admitted yet. Regarding the waiver of the fee, the only ground urged in the written notes filed by the learned counsel on behalf of the Applicant is that the Applicant has no means to pay. Already same ground has been pleaded in the application and we have considered the same and held that no ground is made out for waiver of the court fee in the absence of the materials to establish the same by the order dated 20.3.2012.

Even in the written notes filed today, no materials have been furnished. Hence, we have to reiterate the same finding that there is no ground for waiver of the court fee.

Accordingly, the I.A. No. 94 of 2012 (for waiver of court fee) is hereby dismissed.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vs