

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Dated : 25th April, 2013

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

Appeal No. 177 of 2012

BSES Rajdhani Power Ltd. Appellant (s)

Versus

Delhi Electricity Regulatory Commission ...Respondent (s)

Appeal No. 178 of 2012

BSES Yamuna Power Ltd. Appellant (s)

Versus

Delhi Electricity Regulatory Commission ...Respondent (s)

Counsel for the Appellant(s): Mr. Amit Kapur
Mr. Vishal Anand

Counsel for the Respondent(s): Mr. Pradeep Misra
Mr. Daleep Kr. Dhayani for R.1
Ms. Swapna Seshadri,
Amicus Curiae

ORDER

In spite of the direction given by this Tribunal on 21.03.2013 giving last chance to file the reply, the Delhi Commission has chosen not to file it and still they seek some time to file the reply.

This is most unfortunate. We do not expect this sort of behaviour on the part of the Delhi Commission. We do not propose to give any more time to file the reply as we have already given time to file the reply on three earlier occasions, i.e. on 5.11.2012, 21.12.2012 and on 21.3.2013. In fact, on the last date of hearing i.e. on 21.3.2013, we have specifically mentioned that it was a last chance and directed the Commission to file the reply. But, the Delhi Commission has not obeyed our direction.

In view of the disobedience of our direction by the Respondent-Commission, we think it appropriate to impose the cost of Rs.10,000/- (Rupees ten thousand only) on the Respondent-Commission to be paid to a charitable organization, namely, **“National Association for the Blind, Delhi State Branch, Sector-5, R.K. Puram, New Delhi – 110 022”** within one week i.e. on or before 1st May, 2013.

After getting the intimation about the compliance of this Order, the Registry is directed to intimate this Court about the same.

The Registry is also directed to send a copy of this Order to the above charitable organization.

Since we have not given further time to file the reply, we have allowed the learned Counsel for the Appellant to begin the matter by

making his submissions. Accordingly, the learned counsel for the Appellant argued for some time.

Post the matters for further hearing on **16.05.2013 at 12.30 p.m.**
and on 17.05.2013.

(Rakesh Nath)
Technical Member
ts/rkt

(Justice M. Karpaga Vinayagam)
Chairperson