

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)
(Chennai Circuit Bench)**

**Appeal no.5 of 2013 &
Appeal no. 58 of 2013**

Dated : 22nd April, 2013

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. V.J. Talwar, Technical Member**

Appeal no.5 of 2013

**Andhra Pradesh Ferro Alloys Producers
Association Ltd. & Ors. ...Appellant(s)**

Versus

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

Counsel for the Appellant(s): Mr. Shridhar Prabhu

**Counsel for the Respondent(s): Mr. P. Shiva Rao
Mr. G.V. Brahmananda
Rao for R-2 to R-5**

Appeal no. 58 of 2013

M/s Amman-Try Sponge & Power Pvt. Ltd. ...Appellant(s)

Versus

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

Counsel for the Appellant(s): Mr. Shridhar Prabhu

**Counsel for the Respondent(s): Mr. P. Shiva Rao
Mr. G.V. Brahmananda
Rao for R-2 to R-5**

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ORDER

We have heard the Learned Counsel for both the parties. The Learned Counsel for the Appellant is directed to file his written submissions on or before 30.04.2013 after serving copy on the other side. Thereafter, the Learned Counsel for the Respondent no. 2 to 5 is directed to file his written submissions on or before 10.05.2013 after serving copy on the other side.

We have directed the State Commission by order dated 07.03.2013 .to appear through its Counsel seeking for clarification in respect of some aspects. In spite of our directions, the State Commission has not chosen to appear before this Tribunal and as such there is no response from the State Commission.

The, failure to respond to our direction is amount to violation of direction of this Tribunal. Hence, we are constrained to express our displeasure over the attitude of the State Commission.

However, we want to give one more opportunity to State Commission to appear before this Tribunal through its Counsel for giving clarification.

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Accordingly, the State Commission is directed to appear before this Tribunal through its Counsel on 15.05.2013 without fail.

Post the matter for reporting compliance and making further submissions on 15.05.2013 at 12.30 p.m. at Delhi Bench.

(V.J. Talwar)
Technical Member
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(Justice M. Karpaga Vinayagam)
Chairperson