

COURT-II

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

Appeal No. 17 of 2014 & IA No. 271 of 2014, Appeal No. 18 of 2014 & IA 270 of 2014, Appeal No. 33 of 2014 & IA-51 of 2014, Appeal No. 328 of 2013 & IA-432 of 2013, Appeal No. 263 of 2013 & IAs-353 of 2013 & 269 of 2014 and Appeal No. 293 of 2013 & IA-390 of 2013 & 286 of 2014

Dated : 12th August, 2014

**Present: Hon'ble Mr. Rakesh Nath, Technical Member
Hon'ble Mr. Justice Surendra Kumar, Judicial Member**

In the matter of :

Appeal No. 17 of 2014 & I.A. No. 271 of 2014

Maithan Alloys Ltd. ... Appellant(s)

Versus

**Central Electricity Regulatory
Commission & Anr. ... Respondent(s)**

Appeal No. 18 of 2014 & IA No. 270 of 2014

Jai Balaji Industries Ltd. ... Appellant(s)

Versus

**Central Electricity Regulatory
Commission & Anr. ... Respondent(s)**

Appeal No. 33 of 2014 & IA-51 of 2014

Impex Ferro Tech Ltd. ... Appellant(s)

Versus

**Central Electricity Regulatory
Commission & Anr. ... Respondent(s)**

Appeal No. 328 of 2013 & IA-432 of 2013

Shyam Ferro Alloys Ltd. ... **Appellant(s)**
Versus
Central Electricity Regulatory Commission & Anr. ... **Respondent(s)**

Appeal No. 263 of 2013, IAs-353 of 2013 & 269 of 2014 and Appeal No. 293 of 2013 & IAs-390 of 2013 & 268 of 2014

Bhaskar Shrachi Alloys Ltd. ... **Appellant(s)**
Versus
Central Electricity Regulatory Commission & Anr. ... **Respondent(s)**

Counsel for the Appellant(s) : Mr. Rajiv Yadav
Counsel for the Respondent(s) : Shri Rajiv Shankar Dvivedi
(I.A. No. 147/14 & 210/14)
Mr. K.S. Dhingra for R-1
Mr. S.K. Sarkar

ORDER

The appellants have filed I.A. Nos. 271 of 2014 in Appeal No. 17 of 2014 and I.A. No. 270 of 2014 in Appeal No. 18 of 2014. The I.As are allowed for impleadment of parties. Let the said parties be impleaded and learned counsel for the appellants are directed to make necessary amendment in the Memorandum of Appeal within three days from today and thereafter notice of the amended Memorandum of Appeal be served on all the parties. Dasti service permitted.

In Appeal No.18 of 2014, two Intervention Applications being numbered I.A. 147 of 2014 & 210 of 2014 have been moved on behalf of objectors who were not parties before the Central Regulatory Electricity Commission but they were objectors. We cannot allow such kind of interim applications because if such kind of applications of the objectors are allowed and they are impleaded as parties, then that will unnecessarily prolong

each and every matter without any final conclusion. With this observation, we reject both the I.A. No. 147 of 2014 & 210 of 2014. However, the objectors are at liberty to make oral and written submissions.

The appellants in Appeal Nos. 263 of 2014 & 293 of 2013 have filed I.A. Nos. 269 of 2014 & 268 of 2014 respectively for impleadment. The I.As are allowed for impleadment of parties. Let the said parties be impleaded and learned counsel for the appellants are directed to make necessary amendment in the Memorandum of Appeal within three days from today and thereafter notice of the amended Memorandum of Appeal be served on all the parties. Dasti service permitted.

Post the matter for hearing on **26th August, 2014.**

(Justice Surendra Kumar)
Judicial Member
rkt

(Rakesh Nath)
Technical Member