

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 132 of 2013 &
I.A. No.199 of 2013

Dated : 7th March, 2014

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

M/s. Chemplast Sanmar Ltd. ... Appellant(s)

Versus

M/s. Cuddalore Powergen Corporation Ltd. & Ors. .. Respondent(s)

Counsel for the Appellant(s) : Mr. Vijay narayan, Sr. Adv.
Mr. K.V. Mohan

Counsel for the Respondent(s): Mr. Rahul Balaji
Ms. Meenakshi for R.1
Mr. S. Vallinayagam for R.2

ORDER

We have heard the learned Senior Counsel for the Appellant and the learned counsel for the Respondent. It is submitted by the learned counsel for Respondent that the extension which was granted by the State Commission to the Respondent expires in April, 2014 and therefore they propose to file fresh petition before the State Commission for further extension.

In the circumstances, without going into the merits of the matter, we make it clear that if any Application is filed for extension by the Respondent before the State Commission, it is open to the Appellant to file an intervening Application, which could be entertained by the State Commission, which in turn would decide both with regard to the maintainability of the Applications as well as the merits of the matter after hearing the learned counsel for the parties and dispose of the same in accordance with the law.

With these observations, the Appeal is disposed of.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

Ts/js