

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)
Court-II**

Appeal No. 81 of 2011 & I.A. No. 12 of 2012

Dated: 8th November, 2012

**Present : Hon'ble Mr. Rakesh Nath, Technical Member
Hon'ble Mr. Justice P.S. Datta, Judicial Member**

In the matter of:

Allain Duhangan Hydro Power Ltd.	Appellant (s)
	Versus	
Everest Power Pvt. Ltd. & Ors.	Respondent(s)

Counsel for the Appellant (s) : Mr. Amit Kapur
Mr. Apoorva Misra & Mr. Janmali
Manikala

Counsel for the Respondent (s) : Mr. Sanjay Dewan for R 6 & R8.
Mr. Nikhil Nayyar for CERC
Mr. Tarun Johri
& Mr. Ankur Gupta for R-1.

ORDER

Learned counsel for the appellant has filed the written submissions. Learned counsel for the respondents seek two weeks' time to file their written submissions. They are directed to do so by 19th November, 2012.

Post the matter for reporting compliance on **26th November, 2012 at 2.30 p.m.**

Learned counsel for the appellant pointed out that the payment against invoice raised on the respondent no.1 on 3rd September, 2012 for the month of August, 2012 due by 3rd November, 2012 has not been made so far. Learned counsel for the respondent no.1 has informed that payment has been made today against the invoice

Contd...P2/-

raised on 3rd September, 2012. According to the learned counsel for the appellant there is no valid letter of credit as on date. Learned counsel for the respondent no.1 is directed to report the status of LC on the next date of hearing.

(P.S. Datta)
Judicial Member

(Rakesh Nath)
Technical Member

rkt