Before the Appellate Tribunal for Electricity (Appellate Jurisdiction)

Apepal No. 24 of 2011

Dated :3rd May, 2011

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

Orissa Power Transmission Corporation Ltd. ... Appellant(s)

Versus

Orissa Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s) :	Mr. R.K. Mehta &
	Mr. Antaryami Upadhyay
Counsel for the Respondent(s) :	Mr. Rutwik Panda for R.1
	Mr. Ghanshyam Yadav for Mr. Suresh Tripathy
	For Discoms

<u>ORDER</u>

It is very unfortunate to see that today also Mr. Ghanshyam Yadav, the learned counsel representing Mr. Suresh Tripathy, the learned counsel appearing for the Discoms-Respondents is again seeking time to file the Reply.

We are not inclined to give any time more, as we have given number of adjournments earlier. Even, on the last occasion, nobody was present on behalf of the Respondent-Discoms. Earlier to that also, time was taken to file the reply. Unable to get the assistance from the learned counsel for Respondents, we have asked the learned counsel for the Appellant to begin the case today itself.

Accordingly, the learned counsel for the Appellant has argued the matter elaborately. The learned counsel for the Appellant submits that he

would file his written submission. The learned counsel for the Respondent-Commission also seeks time to file the Written Submissions.

Accordingly, the learned counsel for the Appellant and the Respondents are directed to file their respective Written Submissions after serving copy on the other side.

We originally thought of directing the Registry to send the copy of this Order to the Respondent Distribution Company to intimate to them with regard to the conduct of the learned counsel appearing for the Respondent Discom. However, we refrain to do so. But we record our displeasure over the conduct of the learned counsel for the Respondent Discom, which is unbecoming.

Post the matter on 07.07.2011 for further hearing.

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

TS/KS