

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

**Appeal No. 35 of 2013**

**Dated: 22<sup>nd</sup> August, 2013**

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

**New Swadeshi Sugar Mills** ... **Appellant(s)**

**Versus**

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

Counsel for the Appellant(s) : Mr. Pankaj Bhagat

Counsel for the Respondent(s) : Ms. P. Ranjan for BERC

**ORDER**

Today again, the learned counsel for the respondent no.2 seeks time to file reply. Numerous opportunities have already been granted to respondent no.2 to file reply. On the last date, the respondent no.2 was given time to file reply by 22<sup>nd</sup> July, 2013 after serving copy thereof on the other side. This order has also not been complied with. Learned counsel for the appellant has strongly opposed the request for grant of another opportunity to the respondent no.2 for filing reply.

In the interest of justice, we deem it fit to grant one more opportunity to the respondent no.2 to file reply in all the three appeals, namely, Appeal Nos. 33 of 2013, 35 of 2013 and 36 of 2013 by 26<sup>th</sup> August, 2013 subject to payment of costs of Rs. 10,000/- in

favour of **‘National Association for the Blind, Delhi State Branch, Sector-5, R.K. Puram, New Delhi-110 022’** within 15 days.

Copy of the reply be served on the other side on or before 26<sup>th</sup> August, 2013.

Post the matter for hearing on **3<sup>rd</sup> September, 2013.**

In the meantime, the appellants are at liberty to file rejoinder, if any.

**(Justice Surendra Kumar)**  
Judicial Member

**(Rakesh Nath)**  
Technical Member

rkt