

COURT-I
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 295 OF 2017 & IA NOS. 805 & 1083 OF 2017 & IA NOS. 821 & 955 OF 2018 & IA NO. 384 OF 2019
APPEAL NO. 296 OF 2017 & IA NOS. 809 & 1082 OF 2017 & IA NOS. 820 & 954 OF 2018 & IA NO. 383 OF 2019
APPEAL NO. 297 OF 2017 & IA NOS. 814 & 1081 OF 2017 & IA NO. 953 OF 2018 & IA NO. 382 OF 2019
APPEAL NO. 298 OF 2017 & IA NOS. 815, 1080 OF 2017 & IA NO. 952 OF 2018 & IA NO. 381 OF 2019
APPEAL NO. 299 OF 2017 & IA NOS. 808 & 1079 OF 2017 & IA NO. 951 OF 2018 & IA NO. 380 OF 2019
APPEAL NO. 300 OF 2017 & IA NOS. 810 & 1078 OF 2017 & IA NO. 950 OF 2018 & IA NO. 379 OF 2019
APPEAL NO. 301 OF 2017 & IA NOS. 807 & 1077 OF 2017 & IA NO. 949 OF 2018 & IA NO. 385 OF 2019
APPEAL NO. 302 OF 2017 & IA NOS. 811 & 1076 OF 2017 & IA NO. 948 OF 2018 & IA NO. 386 OF 2019
APPEAL NO. 303 OF 2017 & IA NOS. 806 & 1075 OF 2017 & IA NO. 947 OF 2018 & IA NO. 387 OF 2019
APPEAL NO. 304 OF 2017 & IA NOS. 812 & 1074 OF 2017 & IA NO. 946 OF 2018 & IA NO. 388 OF 2019
APPEAL NO. 305 OF 2017 & IA NOS. 804 & 1073 OF 2017 & IA NO. 945 OF 2018 & IA NO. 389 OF 2019
APPEAL NO. 306 OF 2017 & IA NOS. 813 & 1072 OF 2017 & IA NO. 944 OF 2018 & IA NO. 390 OF 2019

Dated : 20th August, 2019

Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. Ravindra Kumar Verma, Technical Member

In the matter of:

Eastern India Powertech Limited

.... Appellant(s)

Versus

Assam Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel for the Appellant(s)

**: Mr. Gopal Jain, Sr. Adv.
Ms. Sonia Nigam
Ms. Neha Khandelwal
Mr. Aditya Jalan
Mr. Pradhyuman Sharma
Mr. Samarth K. Luthra**

Counsel for the Respondent(s) : Mr. Parinay Deep Shah
Ms. Mandakini Ghosh
Ms. Surabhi Pandey for R-1

Mr. Shubham Arya
Ms. Poorva Saigal for R-1

Mr. Avijit Roy
Mr. N. Deb (Rep.) for R-2

Mr. Angshuman Sarma
for Intervener/AGCL

Mr. H.M. Sharma for
Ms. Mallika Sharma Bazbaruah
for Bidyut Grahak Manch

ORDER
IA NO. 821 OF 2018 IN APPEAL NO. 295 OF 2017
AND
IA NO. 820 OF 2018 IN APPEAL NO. 296 OF 2017

We have gone through the application of impleadment i.e. IA No. 821 of 2018. The Applicant is one Bidyut Grahak Manch, Guwahati, Assam represented by one Mrs. Mallika Sharma Bezbaruah claims to be Member of Bidyut Grahak Manch, a NGO at Guwahati in the State of Assam. On perusal of the affirmation/verification of the Application she has given her address as resident of 146 (FF), Vinobapuri, Lajpat Nagar – 2, New Delhi – 110024. In the entire Application, the Applicant does not show anywhere that she is the consumer in the State of Assam at Guwahati.

That apart, today one Mr. H.M. Sharma appears and says he is authorised by the Deponent Mrs. Mallika Sharma Bezbaruah to represent her before this court along with Application and one Xerox copy of Bidyut Grahak Manch is filed which does not refer to this appeal number. We do not know what happened to the original authorisation. That apart, we do not know whether this Bidyut Grahak Manch is a registered association having

its aims and objects. In the absence of such details we cannot proceed further in the matter. Unless the by-laws of the Applicant/Mancha provides such cause to be espoused by the association and who should espouse its cause on its behalf is clearly brought on record, we cannot proceed further in the above matter. We fail to understand how further delegation of power to represent Mrs. Mallika Sharma Bezbaruah could be delegated to her authorised representative. We direct the Applicant to place on record its Registration Certificate along with by-laws so as to appreciate the stand of impleading applicant in the above appeal.

IA NO. 384 OF 2019 IN APPEAL NO. 295 OF 2017
IA NO. 383 OF 2019 IN APPEAL NO. 296 OF 2017

Objections on IA No. 384 of 2019 and IA No. 383 of 2019, if any shall be filed by next date of hearing.

List the matter on **05.09.2019**.

(Ravindra Kumar Verma)
Technical Member
mk/pk

(Justice Manjula Chellur)
Chairperson