

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Original Jurisdiction)

ORIGINAL PETITION NO. 01 OF 2018 &
IA NOS. 384 & 424 OF 2018

Dated: 20th July, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S. D. Dubey, Technical Member

In the matter of:

Dr. Virendra Kumar Bhatnagar &Anr.

**.... Appellant(s) /
Petitioner(s)**

Versus

Karnataka Electricity Regulatory Commission &Anr.

.... Respondent(s)

Counsel for the Appellant / Petitioner(s) : Mr. Shri Venkatesh
Ms. Nishtha Kumar
Mr. Sandeep Rajpurohit
Mr. Vikas Maini

Counsel for the Respondent(s) : Ms. Pratiksha Mishra
Mr. Balaji Srinivasan
Mr. Mayank Kshirsagar for R-2

ORDER

(IA NO. 384 OF 2018)
(Application for filing additional documents)

Heard learned counsel, Mr. Shri Venkatesh appearing for the appellant / applicant and learned counsel, Ms. Pratiksha Mishra appearing for Respondent No. 2.

The Learned counsel appearing for the applicant, at the outset, submitted that in the light of the reasons stated in the application, it may kindly be accepted and the appellant may kindly be permitted to file additional documents to substantiate the prayer sought in the instant appeal in the interest of justice and equity.

Per contra, the learned counsel appearing for Respondent No. 2 submitted that appropriate order may kindly be passed.

Submissions of the learned counsel for the Appellant and the Respondent No. 2, as stated supra, are placed on record.

In the light of the submissions made by the learned counsel for the parties, and for the reasons stated in the application, the IA being IA No. 384 of 2018 is allowed. The learned counsel for the Appellant is permitted to file additional documents to substantiate the prayer sought in the instant appeal. The application is disposed of.

(IA NO. 424 OF 2018)

(Application for substitution of the Legal Representatives / Heirs)

Heard learned counsel, Mr. S. Venkatesh appearing for the appellant / applicant and learned counsel, Ms. Pratiksha Mishra for Respondent No. 2.

The learned counsel appearing for the Appellant submitted that the instant application is filed by the LRs / applicants of the deceased Dr. Virendra Kumar Bhatnagar on the ground that during the pendency of the instant appeal, the appellant has died leaving behind these applicants. They are filing the instant application to come on record as legal representatives of the deceased Dr. Virendra Kumar Bhatnagar.

The counsel appearing for the appellant further submitted that in the light of the statement made and for the reasons assigned in the application, the same may kindly be accepted and the applicants may kindly be permitted to come on record as Legal Representatives of the deceased Dr. Virendra Kumar Bhatnagar in the interest of justice and equity.

Per contra, the learned counsel appearing for Respondent No. 2, *inter alia*, submitted that appropriate order may be passed.

Submissions of the learned counsel for the Appellant and the second Respondent, as stated above, are placed on record.

Having regard to the facts and circumstances of the case in hand, and in view of the submissions of the learned counsel appearing for the Appellant, and for the reasons stated in the application, the instant IA No. 424 of 2018 is allowed. The applicants are permitted to come on record as Legal representatives / heirs of the deceased Dr. Virendra Kumar Bhatnagar.

The learned counsel appearing for the Appellant is permitted to carry out necessary amendment in the Appeal Memo and also file fresh cause title on or before 27-7-2018.

The application is disposed of.

ORIGINAL PETITION NO. 01 OF 2018

Learned Counsel, Ms. Pratiksha Mishra appears on behalf of Respondent No. 2. Other respondents, though served, unrepresented.

Learned counsel for the Respondents may file their respective replies on or before 17-8-2018, after serving copy on the other side. Thereafter, rejoinder, if any, may be filed by the Appellant on or before 12-9-2018.

List the matter on **12-9-2018**, as agreed by the learned counsel appearing for the parties.

(S. D. Dubey)
Technical Member
tpd/vg

(Justice N. K. Patil)
Judicial Member