

**COURT-II**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(APPELLATE JURISDICTION)**

**IA No. 1039 OF 2018**

**IN**

**APPEAL NO. 256 OF 2018 & IA NO. 1682 OF 2018**

**Dated: 28<sup>th</sup> November, 2018**

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

**In the matter of :**

**Chhattisgarh State Power Distribution Company  
Limited**

**.... Appellant(s)**

**Versus**

**M/s Shanti GD Ispat & Power Pvt. Ltd. & Anr.**

**.... Respondent(s)**

Counsel for the Appellant(s) : Mr. Apoorv Kurup  
Mr. A.C.Boxipatro

Counsel for the Respondent(s) : Mr. Raunak Jain  
Mr. Vishvendra Tomar for R-1

Mr. C.K.Rai  
Mr. Sachin Dubey for R-2

**ORDER**

**IA NO. 1682 OF 2018**

***(Appl. for condonation of delay in filing rejoinder)***

The instant application filed by the Appellant for condonation of delay in filing the rejoinder for four days. Further, he submitted that, in the light of the submissions made and the reasoning given in the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing rejoinder may kindly be condoned and the instant IA may kindly be allowed in the interest of justice and equity.

Per contra, the learned counsel appearing for the Respondent Nos. 1 & 2, inter-alia contended and submitted that in the light of the reasoning assigned in the application, an appropriate order may be passed.

Submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the Respondent Nos. 1 & 2, as stated above, are placed on record.

In the light of the submissions made in the application explaining the delay in filing rejoinder, we find it satisfactory as sufficient cause has been shown in the application. The same is accepted and the delay in filing rejoinder is condoned. IA is allowed and stands disposed of.

### **APPEAL NO. 256 OF 2018 & IA NO. 1682 OF 2018**

Admit.

Learned counsel appearing for the Respondent No. 2 submitted that he does not wish to file any reply in the matter.

The learned counsel appearing for the Respondents pray for four weeks' time to file the reply. Thereafter, learned counsel appearing for the Appellant prays for four weeks' time to file the rejoinder.

Submissions made by the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondents, as stated above, are placed on record.

The learned counsel appearing for the Respondents are permitted to file reply on or before 27.12.2018 after serving copy to the learned counsel for the opposite sides. Thereafter, learned counsel appearing for the Appellant is also permitted to file rejoinder, if any, on or before 24.01.2019 after serving copy to the learned counsel for the opposite sides.

Post this matter on **04.12.2018** along with Appeal No. 339 of 2016 in **Court-I** as requested by the learned counsel appearing for both the parties.

**(S.D. Dubey)**  
**Technical Member**  
Bn/kt

**(Justice N.K. Patil)**  
**Judicial Member**