

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

**APPEAL NO. 148 OF 2018 & IA NO. 456 OF 2018**  
**AND**  
**APPEAL NO. 253 OF 2018 & IA NO. 1725 OF 2018**

**Dated: 6<sup>th</sup> December, 2018**

**Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member**  
**Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

**In the matter of:**

**Rajasthan Urja Vikas Nigam Limited & Ors. .... Appellant(s)**  
**Versus**  
**Central Electricity Regulatory Commission & Ors. .... Respondent(s)**

Counsel for the Appellant(s) : Ms. Swapna Seshadri  
Mr. Anand K.Ganesan

Counsel for the Respondent(s) : Ms. Anushree Bardhan  
Mr. Pulkit Agrwal for R-4  
  
Mr. Pramhans  
for Mr. Aashish Anand Bernard for R-3

**APPEAL NO. 253 OF 2018 & IA NO. 1725 OF 2018**

**In the matter of:**

**D. B. Power Ltd. .... Appellant(s)**  
**Versus**  
**Central Electricity Regulatory Commission & Ors. .... Respondent(s)**

Counsel for the Appellant(s) :

Counsel for the Respondent(s) : Mr. Pramhans  
for Mr. Aashish Anand Bernard for R-2

Ms. Swapna Seshadri for R 3 to 6

Ms. Poorva Saigal  
Mr. Pulkit Agrwal for R-7

Mr. S. Vallinayagam  
Ms. S.Amali for R-8

**ORDER****IA No. 1725 of 2018**  
**(Appl. for condonation of delay in filing reply)**

The learned counsel appearing for Respondent No.2 submitted that there is a delay of 42 days in filing the reply which has been explained satisfactorily and sufficient cause has been made out in the application. The same may kindly be accepted and delay in filing the reply may kindly be condoned.

Submissions made by the learned counsel appearing for the Respondent No. 2, as stated above, placed on record.

In the light of the submission made by the learned counsel appearing for the Respondent No.2 and after perusal of the application explaining the delay in filing the reply, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the reply is condoned. The IA No. 1725 of 2018 is allowed.

**APPEAL NO. 148 OF 2018 & IA NO. 456 OF 2018**

The learned counsel appearing for Respondent No. 3 submitted that he will adopt the reply filed in Appeal No. 253 of 2018.

Submissions made by the learned counsel appearing for the Respondent No. 3, as state above, placed on record.

The learned counsel appearing for the Respondent No. 3 permitted to adopt the reply filed in Appeal No. 253 of 2018 at his own risk.

The learned counsel appearing for the Appellant prays for four weeks' time to file rejoinder.

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

The learned counsel appearing for the Appellant is permitted to file rejoinder submission by 04.01.2019 after duly serving copy on the other side.

**APPEAL NO. 253 OF 2018**

The learned counsel, Ms. Swapna Seshadari, appearing for the Respondent, accepts notice on behalf of Respondent Nos. 3 to 6. The learned counsel appearing for the Respondent Nos. 3 to 6 and learned counsel appearing for Respondent No. 8 pray for four weeks' time to enable them to file their reply. Thereafter, learned counsel appearing for the Appellant also prays for four weeks' time to file rejoinder.

Submissions made by the learned counsel appearing for the Respondent Nos. 3 to 6 & 8 and the Appellant, as stated above, placed on record.

The learned counsel appearing for the Respondents are permitted to file their reply by 04.01.2019, after duly serving copy on the other side. Thereafter, the learned counsel appearing for the Appellant is permitted to file rejoinder submission by 04.02.2019 after duly serving copy on the other side.

List the matter on **25.03.2018**, as agreed by the learned counsel appearing for the Appellant and the Respondents.

**(Ravindra Kumar Verma)**  
**Technical Member**

bn/kt

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