

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

APPEAL NO. 309 OF 2018

Dated: 3rd January, 2019

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

In the matter of:

Uttar Pradesh Jal Vidyut Nigam Limited **Appellant(s)**
Versus
Central Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant(s) : Mr. Amit Kapur
Mr. Akshat Jain
Mr. Yashaswi Kant
Mr. Sanjay Singh

Counsel for the Respondent(s) : Mr. G.Umapathy for R-2

ORDER

The learned counsel, Mr. G. Umpathy, appearing for the second Respondent, submitted that, the instant appeal has been filed by the appellant questioning the correctness of two impugned Orders dated 11.07.2018 and 12.10.2017. Therefore, the appellant is liable to pay two separate court fees and, then only, the appeal is maintainable.

In the light of the submission made by the learned counsel appearing for the second Respondent, the learned counsel, Mr. Amit Kapur, appearing for the appellant, at the outset, fairly submitted that, the appellant has already paid the court fee for the appeal filed by the appellant questioning the correctness of the impugned Order dated 11.07.2018 and, further, undertakes to pay the requisite court fee for the appeal questioning the correctness of the impugned Order dated 12.10.2017 within two weeks from today.

Submissions made by the learned counsel for the appearing parties, as stated supra, are placed on record.

Two weeks time is granted to the learned counsel appearing for the appellant to pay the court fee for the appeal questioning the correctness of the

impugned Order dated 12.10.2017. The learned counsel appearing for the appellant is directed to pay the court fee in respect of the impugned Order dated 12.10.2017, as stated above, by 17.01.2019.

We have heard the learned counsel appearing for the Appellant and the learned counsel for the second Respondent.

Admit, subject to payment of court fee in respect of the impugned Order dated 12.10.2017.

The learned counsel for the second Respondent prays for six weeks time to file the reply to the instant appeal. The learned counsel for the Appellant also prays for two weeks time thereafter to file rejoinder to the reply to be filed by the learned counsel for the second Respondent.

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

The learned counsel for the second Respondent is permitted to file the reply to the instant appeal by 14.02.2019, after duly serving copy to the learned counsel for the Appellant. Thereafter, the learned counsel for the Appellant is permitted to file rejoinder by 28.02.2019, after duly serving copy to the learned counsel for the appearing respondent.

List the matter on **06.03.2019**, as agreed by the learned counsel appearing for the Appellant and the second Respondent.

(Ravindra Kumar Verma)
Technical Member

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(Justice N. K. Patil)
Judicial Member