

**COURT-I**

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(APPELLATE JURISDICTION)**

**APPEAL NO. 180 OF 2012 & IA NO. 319 OF 2012**  
**&**  
**APPEAL NO. 181 OF 2012 & IA NOs.317, 320 OF 2012 &**  
**IA NO. 4 OF 2013**

**Dated: 14<sup>th</sup> July, 2017**

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. B.N. Talukdar, Technical Member (P&NG)**

**180 of 2012 & IA No. 319 of 2012**

**In the matter of :**

**Shell India Markets Pvt. Ltd. .... Appellant(s)**  
**Vs.**  
**Indian Oil Corporation Ltd. & Ors. .... Respondent(s)**

Counsel for the Appellant(s) : Mr. Prabhat K.C.

Counsel for the Respondent(s) : Mr. Rajat Navet  
Ms. Sanya Talwar for R-1 to R-3

Mr. Sumit Kishore for PNGRB

**Appeal No. 181 of 2012 & IA Nos.317,320 of 2012 &**  
**IA No. 4 of 2013**

**In the matter of :**

**Reliance Industries Ltd. & Anr. .... Appellant(s)**  
**Vs.**  
**Indian Oil Corporation Ltd. & Ors. .... Respondent(s)**

Counsel for the Appellant(s) : Mr. Gaurav Mitra  
Mr. Vishnu Sharma  
Mr. Adarsh Rai

Counsel for the Respondent(s) : Mr. Rajat Navet  
Ms. Sanya Talwar for R-1 to R-3  
  
Mr. Prabhat Chaurasia for R-7  
  
Mr. Sumit Kishore for PNGRB

## **ORDER**

### **I.A. Nos. 319, 317 and 320 of 2012**

Replies are taken on record and the applications are disposed of.

### **Appeal Nos. 180 and 181 of 2012**

These appeals are of the year 2012. They are being adjourned time and again on the ground that learned counsel for the appellants want to obtain instructions from his clients as to whether they want to prosecute these appeals, in view of the fact that the Government is in fact following the relevant notification as of date. It is distressing to note that the appellants have so far not taken any decision as to whether they want to prosecute these appeals or not though on that ground adjournments are sought. We cannot go on adjourning these appeals on the ground that learned counsel for the appellants are unable to obtain instructions. We are unhappy with the approach of the Appellants. It must also be noted that the Supreme Court has expressed anxiety about the old appeals which are pending in this Tribunal.

We give the appellants a last opportunity to make a statement before this Tribunal as to whether they want to prosecute these appeals or not. If there is no response, we may be compelled to summon the higher officials of the appellants to remain present in the court.

List these matters for hearing on **28.07.2017**. We make it clear that on the next date of hearing no further adjournment will be granted and we will proceed with the matters.

**(B.N. Talukdar)**  
**Technical Member (P&NG)**  
Ts/vg

**(Justice Ranjana P. Desai)**  
**Chairperson**