

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

APPEAL NO. 302 OF 2018 &
IA NO. 1120 OF 2018 & IA NO. 439 OF 2019

Dated : 26th March, 2019

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

In the matter of:

M/s Lohia Developers (India) Pvt. Ltd.

.... Appellant(s)

Vs.

Uttar Pradesh Electricity Regulatory Commission & Ors..

.... Respondent(s)

Counsel for the Appellant(s): Mr. Shivam Tripathi

Counsel for the Respondent(s): Mr. Sachin Dubey
for Mr. C.K. Rai for R-1

Mr. Rajiv Srivastava
Ms. Garima Srivastava
Ms. Harshita Sinha
Ms. Gargi Srivastava for R-2

ORDER

(On IA NO. 439 OF 2019 - Delay in filing reply)

We have heard the learned counsel appearing for both the parties.

The learned counsel, Ms. Garima Srivastava, appearing for the second Respondent submitted that, there is a delay of 148 days in filing the reply which has been explained satisfactorily in the application. The same may kindly be accepted and delay may kindly be condoned.

Submission of the counsel for the second Respondent, as stated above, is placed on record.

In the light of the submission of the counsel for the second Respondent 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. IA for the delay in filing the reply is allowed.

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The learned counsel, Mr. Shivam Tripathi, appearing for the Appellant prays for four weeks' time to file rejoinder to the reply filed by the counsel for the second Respondent.

The learned counsel, Mr. C.K. Rai, appearing for the first Respondent submitted that, they will file written submission in this case within four weeks.

Submissions of the counsel for the Appellant and the 1st Respondent, as stated supra, are placed on record.

The counsel for the Appellant is permitted to file rejoinder to the reply filed by the counsel for the second Respondent on or before 23.04.2019, after duly serving copy to the counsel for the Respondents.

The counsel for the first Respondent may file his written submission in this case within four weeks i.e. on or before 23.04.2019, duly serving copy to the counsel for the Appellant.

List this matter on **24.04.2019**, as agreed by the learned counsel for the Appellant and the Respondent Nos. 1 and 2.

(Ravindra Kumar Verma)
Technical Member

bn/vt

(Justice N.K. Patil)
Judicial Member