

**COURT-I**

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

**APPEAL NO. 70 OF 2017**

**Dated: 2<sup>nd</sup> May, 2019**

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson  
Hon'ble Mr. S.D. Dubey, Technical Member**

**In the matter of :**

**DCM Shriram Ltd. ... Appellant(s)**

**Vs.**

**Rajasthan Electricity Regulatory Commission & Ors. ... Respondent(s)**

Counsel for the Appellant(s) : Mr. Anand K. Ganesan  
Mr. Utkarsh Singh

Counsel for the Respondent(s) : Mr. R. K. Mehta  
Ms. Himanshi Andley for R-1  
Ms. Megha Karnwal for R-2  
Mr. Pradeep Misra  
Mr. Manoj Kr. Sharma for R-3

**ORDER**

The matter is at the stage of Part-heard. The second Respondent (DISCOM) now wants to appear and file objections though they were served as early as on 19.04.2017. We are of opinion that the conduct of the second Respondent for keeping silent for two years has to be explained by filing an application within one week, i.e. on or before 09.05.2019 with advance copy to the other side, so as to enable the Appellant to file rejoinder, if any, thereafter. We also make it clear that unless there is satisfactory and reasonable explanation, such conduct cannot be excused.

List the matter for further hearing on **17.05.2019**.

**(S.D. Dubey)  
Technical Member**

**(Justice Manjula Chellur)  
Chairperson**

*tpd/kt*