

**COURT-I****IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)****Appeal No. 175 of 2016 &  
IA No. 873 of 2017****Dated: 22<sup>nd</sup> November, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson  
Hon'ble Mr. S.D. Dubey, Technical Member****In the matter of:****M/s Vedanta Ltd.****.... Appellant(s)****Vs.****Odisha Electricity Regulatory Commission & Ors.****.... Respondent(s)****Counsel for the Appellant(s) : Ms. Ananya Mohan****Counsel for the Respondent(s) : Mr. Rutwik Panda  
Mr. G. Umapathy  
Ms. Anshu Malik for R-1****Mr. Raj Kumar Mehta  
Ms. Himanshi Andley for R-2, 4 & 5****Ms. Kanika Singh for R-6****ORDER**

Delay in filing rejoinder (I.A. No. 873 of 2017) is condoned and rejoinder is taken on record. Application is disposed of.

The Central Electricity Supply Utility of Odisha, Respondent No.5 herein (**CESU**) has filed reply to the appeal stating that its name may be deleted from the array of parties as it is not a necessary party. Following are the relevant paragraphs:

***“3. That the present appeal has been filed by M/s Vedanta Limited which is not a Consumer under CESU. Moreover, during the current Financial Year i.e., FY 2016-17 there is no Consumer under CESU who will be covered by the impugned order.***

***4. That in the above premises, CESU is not a necessary party to the present appeal. It is, therefore, expedient in the interest of justice that the name of CESU may be deleted from the array of parties.”***

We have heard learned counsel for Respondent No.5. Counsel submitted that in view of the above submission, the CESU being not a necessary party may be deleted from the array of parties. We have heard learned counsel for the Appellant also. In the circumstances of the case and having regard to the fact that the Appellant is not a consumer under CESU, the Appellant may delete CESU from the array of parties at the risk of CESU. Learned counsel for the appellant is directed to file amended memo of parties and also carry out consequential necessary amendments in the appeal paper book within two weeks from today.

List the matter on **25.01.2018**

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

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