

COURT-I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**IA NOS. 131, 132 & 829 OF 2017 IN
DFR NO. 254 OF 2017**

Dated: 11th October, 2017

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member**

In the matter of:

Maharashtra Aquaculture Farmers Association	...	Appellant(s)
Vs.		
Maharashtra Electricity Regulatory Commission & Ors.	Respondent(s)

Counsel for the Appellant(s) : Mr. Prashant S. Kenjale
Mr. Nishant

Counsel for the Respondent(s) : Mr. Buddy A. Ranganadhan for R-1
Ms. Nikita Choukse for R-2

ORDER

Learned Counsel for the Appellant states that the Appellant-Maharashtra Aquaculture Farmers Association is not interested in prosecuting the appeal. He states however that some of the members of the Association want to prosecute this appeal. They have complied with the Bombay High Court's order and furnished the bank guarantee. Counsel states that some of them have made full payment. Counsel submits that he wants to file an application praying for substituting those members in place of the Appellant. In the circumstances, we direct learned counsel for the Appellant to ensure that those who claim to have furnished the bank guarantee and those who claim to have made full payment shall file affidavits stating so along with the proof of furnishing of bank guarantee or

proof of full payment. The affidavits be filed on or before 09.11.2017. Copies of the said affidavits be served on learned counsel for the respondents. Learned counsel for Respondent No.2 shall obtain instructions as to whether the statements made on the said affidavits are true and correct before the next date of hearing.

We make it clear that maintainability of the substitution application will be decided at the appropriate time.

List the matter on **05.12.2017.**

(I. J. Kapoor)
Technical Member

ts/tpd

(Justice Ranjana P. Desai)
Chairperson