

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

APPEAL NO. 250 OF 2014 & IA NO. 409 OF 2014
& IA NO. 1402 OF 2018,
APPEAL NO. 284 OF 2014 & IA NO. 1404 OF 2018,
APPEAL NO. 297 OF 2014 & IA NO. 178 OF 2015 AND
APPEAL NO. 42 OF 2016 & IA NO. 1403 OF 2018

Dated: 30th October, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S.D. Dubey, Technical Member

APPEAL NO. 250 OF 2014 & IA NO. 409 OF 2014
& IA NO. 1402 OF 2018,
APPEAL NO. 284 OF 2014 & IA NO. 1404 OF 2018

In the matter of:

Biomass Energy Developers Association & Ors. ...Appellant(s)
Vs.
Andhra Pradesh Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant (s) : Mr. Chella Gunaranjan
for Mr. K. Gopal Choudhary

Counsel for the Respondent(s) : Mr. K.V. Mohan
Mr. K.V. Balakrishnan
Mr. R.K. Sharma
Mr. D. Bharti Reddy for R-1

Mr. A. Subba Rao for R-2 & 3

Mr. Sri Harsha Peechara
Ms. Vidhi Jain for R-4 & R-5

APPEAL NO. 297 OF 2014 & IA NO. 178 OF 2015

In the matter of:

M/s The South Indian Sugar Mills Association & Ors. Appellant(s)
Vs.
Andhra Pradesh Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant (s) : Mr. Chella Gunaranjan

Counsel for the Respondent(s) : Mr. K.V. Mohan
Mr. K.V. Balakrishnan
Mr. R.K. Sharma
Mr. D. Bharti Reddy for R-1

APPEAL NO. 42 OF 2016 & IA NO. 1403 OF 2018

In the matter of:

Southern Power Distribution Co. of Andhra Pradesh Ltd. & Anr. ... Appellant(s)
Vs.

Biomass Energy Developers Association & Ors. Respondent(s)

Counsel for the Appellant (s) : Mr. A. Subba Rao

Counsel for the Respondent(s) : Mr. Chella Gunaranjan
for Mr. K. Gopal Choudhary
for R-1 to R-23

ORDER

***IA NOS. 1402, 1404 & 1403 OF 2018
(Delay in filing written submissions)***

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

Learned counsel, Mr. Subba Rao, appearing for the Respondent Nos. 2 & 3 in Appeal Nos. 250 of 2014 & 284 of 2014 and appearing for the Appellant in Appeal No. 42 of 2016 submitted that, there is a delay of 48 days in filing the reply in the aforesaid cases which has been explained satisfactorily in the applications. The same may kindly be accepted and delay may kindly be condoned.

Submissions made by the learned counsel, Mr. Subba Rao, as stated above, are placed on record.

In the light of the submissions made by the learned counsel appearing for the Respondent Nos. 2 & 3 in Appeal Nos. 250 of 2014 & 284 of 2014 and appearing for the Appellant in Appeal No. 42 of 2016 and after perusal of the applications explaining the delay in filing the reply, we find the same satisfactory as sufficient cause has been made out. The same are accepted and the delay in filing the reply is condoned. IAs are allowed.

**APPEAL NO. 250 OF 2014 & IA NO. 409 OF 2014,
APPEAL NO. 284 OF 2014, APPEAL NO. 297 OF 2014 AND
APPEAL NO. 42 OF 2016**

Learned counsel, Mr. Subba Rao, appearing for the Respondent Nos. 2 to 5 in Appeal No. 297 of 2014 submitted that, he will file his reply in the case during the course of the day.

Learned counsel, Mr. Chella Gunaranjan, appearing for the Appellant prays for two weeks time thereafter to enable him to file his rejoinder in this matter.

Submissions made by learned counsel appearing for the Appellant and the Respondents, as stated supra, are placed on record.

Learned counsel appearing for the Respondent Nos. 2 to 5 is permitted to file his reply in the matter during the course of the day, after duly serving copy to learned counsel for the Appellant and learned counsel for the appearing respondents. Thereafter, learned counsel appearing for the Appellant is permitted to file his rejoinder in this matter on or before 13.11.2018, after duly serving copy to learned counsel for the appearing respondents.

Learned counsel, Mr. Chella Gunaranjan appearing for Mr. K. Gopal Choudhary for the Appellant submitted that, a short adjournment may kindly be granted in the matter on the ground that Mr. K Gopal Choudhary is not keeping well today.

Submission made by learned counsel, Mr. Chella Gunaranjan, appearing for the Appellant, as stated above, is placed on record.

List this batch of Appeals for hearing on 03.12.2018, as agreed by the learned counsel appearing for the Appellants and learned counsel for the Respondents.

(S.D. Dubey)
Technical Member
vt/js

(Justice N.K. Patil)
Judicial Member