COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 73 OF 2023 & IA No. 1824 OF 2023

Dated: 19th September, 2023

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Mr. Sandesh Kumar Sharma, Technical Member

In the matter of:

EID Parry (India) Limited (Formerly Parrys Sugar Industries Limited/GMR Industries Limited/Bharat Sugar Mills Limited)	**....**	**Appellant(s)**
Versus		
Karnataka Electricity Regulatory Commission & Ors.	**....**	**Respondent(s)**

Counsel on record for the Appellant(s)	:	Anand K. Ganesan Swapna Seshadri Kriti Soni For App1
Counsel on record for the Respondent(s)	:	For Res1 V.M. Kannan Shahbaaz Husain Harimohana .N Stephania Pinto Lalit Rajput Fahad Khan Aanshika Bhushan For Res2

ORDER

IA NO.1824 OF 2023
[for Recall](R-2)

This application is filed to recall the earlier order dated 19.01.2023, as a result of which the 2nd Respondent was disabled from their filing reply. It is brought to our notice that the 2nd Respondent had not even entered

appearance by then. Failure on the part of the 2nd Respondent, even to enter appearance, cannot be used as a justification for their failure to file reply within time. Since we do not wish to deny the 2nd Respondent an opportunity to contest the appeal on its merits, we deem it appropriate to permit them to file reply on condition that the Appellant pays costs of Rs. 25,000/- to the Central Transmission Utility of India Ltd (CTUIL) within four weeks, and files proof of payment in the Registry within two week thereafter. Subject to the above terms, the delay is condoned and the application is disposed of.

The 2nd Respondent shall also intimate the CTUIL of the Appeal No. and the date of the Order, in terms of which costs are being paid.

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Subject to compliance with the aforesaid directions, six weeks' time is granted to the 2nd Respondent to file their Reply. Rejoinder, if any, shall be filed within four weeks' thereafter.

Learned Counsel on both sides agree that the issue involved in the appeal is short, and request that this Appeal be included in the 'List of Short Matters'. After pleadings are complete, Registry to verify the same and let this Appeal be included in the 'List of Short Matters', to be taken up from there, in its turn.

(Sandesh Kumar Sharma)
Technical Member

(Justice Ramesh Ranganathan)
Chairperson

pr/js/dk