

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

COURT-II

**APPEAL NO.297 OF 2019 & IA NO 1276 OF 2019 &
IA NO. 1455 OF 2021**

Dated: 05.04.2022

**Present: Hon'ble Mr. Justice R.K. Gauba, Judicial Member
Hon'ble Mr.Sandesh Kumar Sharma, Technical Member**

In the matter of:

Jindal India Thermal Power Limited		 Appellant (s)
Vs.		
Odisha Electricity Regulatory Commission & Ors.		 Respondent(s)
Counsel for the Appellant (s)	:	Mr. Matrugupta Mishra Ms. Ritika Singhal
Counsel for the Respondent (s)	:	Mr. G. Umapathy, Sr. Adv. Mr. Rutwik Panda Mr. Nikhar Berry Mr. Anshu Malik for R-1 Mr. Arijit Maitra for R-2

ORDER

This matter has been taken up by video conference mode on account of pandemic conditions, it being not advisable to hold physical hearing.

IA NO. 1455 OF 2021

[For Condonation of delay in filing rejoinder]

The reasons in the delay of 360 days in filing rejoinder having been properly explained, application is allowed and the rejoinder is taken on record. The application is disposed of accordingly.

APPEAL NO.297 OF 2019 & IA NO 1276 OF 2019

This appeal was put in the list of priority matters on the request of learned counsel for the appellant. Its turn has come for final hearing. The counsel for the appellant, however, submits he is not ready. We cannot accept this submission. It was part of the dispensation whereby this appeal and other similarly placed appeals are included in the list of

priority hearing that the counsel would be ready when the turn comes. Since the counsel is not inclined to argue despite our attempt to persuade to him to do so, we direct deletion of this appeal from the list of priority. It shall be instead shown in the list of finals to be taken up in its turn from there.

The written submissions must be filed in advance before the appeal is taken up for hearing.

(Sandesh Kumar Sharma)
Technical Member

pr/tp

(Justice R.K. Gauba)
Officiating Chairperson