COURT-1
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

IA NO. 1783 OF 2022 IN
APPEAL NO. 605 OF 2023 &
IA NO. 1782 OF 2022 & IA NO. 1895 OF 2023

Dated: 21.08.2023

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

In the matter of:

Andhra Pradesh Solar Power Corporation Private Limited : Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. : Respondent(s)

Counsel on record for the Appellant(s) : Sidhant Kumar, Manyaa Chandok

Counsel on record for the Respondent(s) : Pallav Mongia for Res.2

S.Vallinayagam for Res.3

Shikha Ohri , Kartik Sharma for Res.21 (IA No. 1780/2022)

ORDER

IA NO. 1895 OF 2023
(Application for condonation of delay in filing reply by R-21)

Despite repeated reminders of the need to file pleadings within the time sought for by the Counsel themselves, applications are still being filed seeking further extension of time for completing pleadings. Such requests not only disable us from striving to achieve the objective of the Act to dispose of the Appeal within 180 days, but also results in needless wastage of precious court time, which can be more usefully spent in hearing Appeals on merits.

The present case is yet another instance of procrastination. We, however, see no reason to deny the 21st Respondent an opportunity to file

their reply. We consider it appropriate to permit them to file reply on condition that the 21st Respondent pays costs of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Central Transmission Utility of India Limited (CTUIL) within four weeks, and file proof payment in the Registry within one week thereafter. Subject to compliance with the aforesaid directions, the delay in filing reply is condoned, and the reply filed by the Respondent No.21 shall be taken on record.

As the 21st Respondent is a statutory authority, we see no reason to burden the public exchequer with the costs now imposed. We, therefore, direct the 21st Respondent to identify the officer responsible for the delay in filing the reply, and recover the aforesaid costs of Rs.25,000/- from him, after giving him an opportunity of hearing. A copy of the action taken report shall be filed, by the 21st Respondent, before the next date of hearing.

The application is disposed of.

APPEAL NO. 552 OF 2023

Post the matter on ***10.10.2023***.

(Sandesh Kumar Sharma)
Technical Member

(Justice Ramesh Ranganathan)
Chairperson

tpd/js/sk