COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 437 OF 2023

Dated: 13th May, 2024

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Ms. Seema Gupta, Technical Member (Electricity)

In the matter of:

Hubli Electricity Supply Company Ltd.	....	Appellant(s)
Versus		
Mytrah Advaith Power Pvt. Ltd. & Ors.	....	Respondent(s)

Counsel on record for the Appellant(s)	:	Shahbaaz Husain V.M. Kannan Harimohana .N Stephania Pinto Yeshwanth M Comar Lalit Rajput Aanshika Bhushan for App. 1
Counsel on record for the Respondent(s)	:	Aditya K. Singh Anukriti Jain Pratiksha Chaturvedi Vinit Kumar Ayushi R. Saxena for Res. 1 Samarth Kashyap for Res. 3 Shahbaaz Husain V.M. Kannan Fahad Khan Stephania Pinto Aanshika Bhushan K Sumanth Gowda for Res. 4

ORDER

Mr. Aman Banka, learned counsel appearing for the 3rd Respondent, and Mr. Fahad Khan, learned counsel appearing for the 4th Respondent, state that they do not wish to file any reply. Their submission is recorded.

IA No. 1870 of 2023 was filed to condone the delay in filing rejoinder. We had, by our order dated 19.09.2023, condoned the delay on condition that the Appellant pays cost of Rs.25,000/- and, subject to compliance, we had also directed that the rejoinder be taken on record. The endorsement by the Registry today is that proof of payment of costs has not been filed.

Mr. Fahad Khan, learned Counsel for the Appellant, now states that they do not wish to file rejoinder. It is indeed disconcerting that precious court time is being needlessly wasted in first being asked to consider the application to condone the delay in filing the rejoinder, and because costs were imposed, it is stated during today's hearing that they do not wish to file rejoinder.

While these acts of the Appellant do not show them in good light, we see no reason to dwell on this aspect any further. Recording the submission of the Appellant that they do not wish to file rejoinder, we direct the Registry to verify whether pleadings are otherwise complete and, thereafter, include this appeal in the '**List of Finals'** to be taken up from there, in its turn.

(Seema Gupta)
Technical Member (Electricity)

(Justice Ramesh Ranganathan)
Chairperson

ts/tpd/skj