SECTION XVII

MATTER FOR : 25.02.2015
R.COURT NO.: 01
ITEM NO. : 113

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8189 and 8190 of 2011
AND
CIVIL APPEAL NO. 95 of 2013

Chairman T. Nadu Elect. Board .... Appellants
VERSUS
OPG Renewable Energy(I)Limited & Anr. .... Respondents

OFFICE REPORT FOR PRE-FINAL HEARING

Civil Appeal No. 8189 and 8190 of 2011

The matters above-mentioned was listed before the Hon'ble Court on 24th September, 2012, when the Hon'ble Court was pleased to pass the following order:

> **"Appeals admitted.**
> **Pleadings be completed as expeditiously as possible."**

It is submitted that there are two common respondents in both the matters . Respondent No. 1 is represented through Mr. Abhinav Mukherji, Advocate in both the matters. Respondent No. 2 has also been served with NLPA but no one has entered appearance so far. The service of NLPA is complete in the matters.

It is further submitted that the counsel for the respondent No. 1 has filed counter affidavit. Original record in the matters has been received and sent back to the concerned tribunal as per Registry's Circular dt. 03.12.2014. No application is pending.

Civil Appeal No. 95 of 2013

The matter above-mentioned was listed before the Hon'ble Court on 22nd January, 2015, when the Hon'ble Court was pleased to pass the following order:

> **"Admit.**
> **Hearing expedited.**
> **Rejoinder Affidavit be filed within four weeks.**
> **Tag with Civil Appeal No. 8189-90 of 2011."**

It is submitted that there are two respondents in the matter. Respondent No. 1 is represented through Mr. Mihir Kumar, Advocate in the matter. Respondent No. 2 has also been served with notice but no one has entered appearance so far. The service of notice is complete in the matter.

It is further submitted that the counsel for the respondent No. 1 has filed counter affidavit. Counsel for the appellant No. 2 has filed the Rejoinder Affidavit.

It is also submitted that proviso 32(2) of Order XIX of New SCR 2013 read as "Provided that where an appellant and respondent who has entered appearance, does not file a statement of case within the time, as provided in sub-rule(1) it shall be presumed that the appellant and respondent does not desire to lodge statement of case in the appeals."

The matters above-mentioned are listed before the Registrar Court for pre-final hearing under Order V(I) Rule 30 of SCR 2013 with this office report.

DATED THIS THE 4TH DAY OF FEBRUARY, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Y. Rajagopala Rao, Advocate
Mr. Abhinav Mukherji, Advocate
Mr. B. Balaji, Advocate
Mr. Mihir Kumar, Advocate

ASSISTANT REGISTRAR