

SECTION XVII

MATTER FOR :19.09.2014
COURT NO.
ITEM NO.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 8464-8466 AND 8387-8389 OF 2014

WITH

INTERLOCUTORY APPLICATION NOS. 4-6 OF 2014

(Application for stay)

AND

CIVIL APPEAL NOS. 8464-8466 OF 2014

WITH

INTERLOCUTORY APPLICATION NOS. 7-9 OF 2014

(Application to file additional documents)

BSES Rajdhani Power Limited etc.

...Appellant

VERSUS

Delhi Electricity Regulatory Commission
& Ors. etc.

...Respondents

OFFICE REPORT

CIVIL APPEAL NOS. 8464-8466 OF 2014

It is submitted that the matters above mentioned have been filed under Section 125 of the Electricity Act, 2003 against the judgment and order dated 23.05.2014 of the Appellate Tribunal for Electricity, New Delhi in I.A. Nos. 158, 159 and 164 of 2014 Appeal Nos. 27, 28 and 32 of 2014 respectively.

It is further submitted that there is delay of 10 days in refiling the appeals and the Advocate has filed an application for condonation of delay which was duly condoned by the Additional Registrar (1-B) on 01.09.2014.

It is further submitted that Writ Petition (Civil) No. 104 of 2014 arising out of similar issue is pending before this Hon'ble Court and the Court on 26.03.2014 was, inter-alia, pleased to continue the interim order dated 07.02.2014 with regard to no disconnection in the supply of electricity. (Copy of Record of Proceedings dated 26.03.2014 is annexed as Annexure A-9 in the

paper books at page Nos. 155-159). (Main matter is Civil Appeal No. 884 of 2010).

It is further submitted that Mr. Pukhrambam Ramesh Kumar, Counsel for the appellant has on 15.09.2014 filed an application to file additional documents which is registered as I.A. Nos. 7-9 of 2014. (Copy of the same is included in the paper books).

CIVIL APPEAL NOS. 8387-8389 OF 2014

It is submitted that the matters above mentioned have been filed under Section 125 of the Electricity Act, 2003 against the judgment and order dated 23.05.2014 of the Appellate Tribunal for Electricity, New Delhi in I.A. Nos. 158, 159 and 164 of 2014 Appeal Nos. 27, 28 and 32 of 2014 respectively.

It is further submitted that there is delay of **20** days in refiling the appeals and the Advocate has filed an application for condonation of delay which was duly condoned by the Additional Registrar (1-B) on 01.09.2014.

It is further submitted that the Registry has pointed out the defect that copies of the documents or orders i.e. 31.03.2007, 06.10.2009, 12.07.2011, 24.11.2011, 25.01.2012, 02.07.2013, 14.11.2013, 31.12.2013, 31.07.2013 and 21.04.2014 are required. In this regard, the Advocate vide letter dated 28.08.2014 has stated that the said documents or orders are not required at the preliminary stage of the proceedings. (Copy of the letter dated 28.08.2014 is included in the paper books at page No. 173).

It is lastly submitted that the instant matter is tagged with Civil Appeal Nos. 8464-8466 of 2014 as both are arising out of common order.

The matters above-mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 15TH DAY OF SEPTEMBER, 2014.

ASSISTANT REGISTRAR

Copy to : Mr. Pukhrambam Ramesh Kumar, Advocate

ASSISTANT REGISTRAR