

ITEM NO.103

COURT NO.6

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No.10301/2014

GUJARAT URJA VIKAS NIGAM LIMITED

Appellant(s)

VERSUS

GUJARAT ELECTRICITY REGULATORY COMMISSION

Respondent(s)

([PART HEARD BY : HON'BLE ABHAY S. OKA, HON'BLE AHSANUDDIN AMANULLAH AND HON'BLE AUGUSTINE GEORGE MASIH, JJ.])

WITH

C.A. No. 4037/2015 (XVII)

Date : 26-09-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s) Mr. MG Ramachandran, Sr. Adv.
Ms. Hemantika Wahi, AOR
Mr. Anand Ganesan, Adv.
Ms. Jesal Wahi, Adv.
Ms. Srishti Khindaria, Adv.
Mr. Parth Bhalla, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR

For Respondent(s) Mr. MG Ramachandran, Sr. Adv.
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Mr. N. L. Ganapathi, AOR
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Mr. Shekhar Prit Jha, AOR

Mr. Akshat Jain, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Avdesh Mandloi, Adv.
Mr. Karun Sharma, Adv.
Mr. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Sakya Singha Chaudhuri, AOR

Mr. Vishrov Mukerjee, Adv.
Mr. Yashaswi Kant, Adv.
Mr. Girik Bhalla, Adv.
Ms. Juhi Senguttuvan, Adv.
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Mr. Vishal Binod, Adv.
Mr. Sagnik Maitra, Adv.
Mr. Sumit Attri, Adv.
M/S. Cyril Amarchand Mangaldas, AOR

Mr. Umesh Kumar Khaitan, AOR
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Mr. Nar Hari Singh, AOR

Mr. Sumit Goel, Adv.
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Ms. Roohe Hina Dua, Adv.
Mr. Harshit Khanduja, Adv.
Mr. Arav Pandit, Adv.
Mr. Randeep Sachdeva, Adv.
Mr. Naveen Kumar, AOR

Mr. Nakul Sachdeva, Adv.
Mr. Sagar Arora, Adv.
Mr. Nayan Grover, Adv.

Mr. Faisal Sherwani, AOR

Mr. Sanjeev Kapoor, Adv.
Ms. Divya Chaturvedi, Adv.
Mr. Saransh Shaw, Adv.
Mr. Jai Dhanani, Adv.
M/S. Khaitan & Co., AOR

Mr. Kaushik Poddar, AOR
Mr. Rajesh Mahale, AOR

Mr. Buddy Ranganathan, Adv.
Mr. Vishrov Mukerjee, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Rishi Agrawala,, Adv.
Mr. Rohan Talwar, Adv.
Mr. Abhinabh Garg, Adv.
Mr. Naman Agarwal, Adv.
Mr. Girik Bhalla, Adv.
Mr. Yashaswi Kant, Adv.
Ms. Shefali Tripathi, Adv.
Mr. E. C. Agrawala, AOR

Mr. C S Vaidhyanathan, Sr. Adv.
Mr. Shri Venkatesh, Adv.
Mr. Suhael Buttan, Adv.
Mr. Priya Dhankar, Adv.
Mr. Kunal Veer Chopra, Adv.
Mr. Nitin Saluja, AOR
Ms. Drishti Rathi, Adv.

Ms. Sanjana Saddy, AOR

UPON hearing the counsel the Court made the following
O R D E R

I.A. No.220440/2024

Learned counsel appearing for the appellant states that the respondent no.9 was a party before the Commission and before the Appellate Tribunal. He, therefore, submits that the name of respondent no.9 cannot be deleted.

Accordingly, application is rejected.

I.A. No.219786/2024

In view of the document annexed as Annexure 'A-1', application is allowed and the applicant is ordered to be impleaded as party-respondent.

Amended memo shall be filed by the appellant within a period of one month from today.

I.A. for discharge of the Advocate on Record for Respondent No.31

In view of the averments made in the I.A., the same is allowed in terms of prayer Clause 'A'.

The learned counsel appearing for respondent no.31 states that by sending an e-mail, respondent no.31 informed the Advocate-on-Record to obtain discharge. If that be so, respondent no.31 should have been represented today before the Court by another Advocate. Today, respondent No.31 is not represented. Respondent no.31 by such conduct cannot create an impediment in the way of Court deciding the appeal. To avoid any prejudice, we direct that the appeal shall be listed on 14th November, 2024. The respondent no.31 owes an explanation to this Court.

We direct the Advocate-on-Record for respondent no.31 to forward a copy of this order to respondent no.31 physically as well as by sending e-mail at the same e-mail i.d. from which respondent no.31 had issued e-mail calling up the Advocate to take discharge.

We make it clear that we will proceed with the appeal even if respondent no.31 is not represented.

Learned Counsel appearing for respondent No.31 states that she will place on record the copy of the e-mail sent by respondent No.31 during the course of the day by handing over the same to the

Court Master.

List on 14th November, 2024. Those parties who have not filed written submissions may do so within one month from today.

**(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS**

**(AVGV RAMU)
COURT MASTER (NSH)**