

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the Matter of:

Shri Ranjit Singh and Other

Vs.

Uttarakhand Power Corporation Limited and Others

Coram

Shri V J Talwar

Chairman

Shri Anand Kumar

Member

Date of Order: 20th August 2010

ORDER

The Counsel for the Petitioners, Shri Kanwaljeet Singh, Advocate and the representatives of Respondents, except for Respondent No. 4, were present in the hearing on 18.08.2010. Vide order dated 25.05.2010, the Commission had granted fifteen (15) days time to all Respondents to file their replies on affidavit and the Petitioners were directed to file rejoinder on the same. UPCL was also directed to include certain details in its reply.

None of the Respondents have filed any reply on affidavit. The Commission, expressed its displeasure on such inordinate delay in filing replies by the Respondents. Director (Operations), UPCL was not able to explain or the reasons for delay. The reply given under the signature of Executive Engineer, Electricity Distribution Division-II, Rampur on behalf of UPPCL is without any authorization from UPPCL. Accordingly, both

the Corporations have sought time to file their written reply on affidavit. As per Conduct of Business Regulations, 2004 of the Commission, only Director of the company is authorized to file replies/rejoinders on behalf of the Company alongwith prescribed form of affidavit given in the regulations.

It was pointed out that as per order of Hon'ble High Court of Nainital, the matter was to be decided within a period of 03 months but for want of replies by the Respondents and time for hearing sought by the Petitioners, the Commission and Petitioners may like to apprise and seek further time of two months from Hon'ble High Court of Nainital. The counsel for the Petitioners and Respondents agreed for the same.

In the interest of justice, all Respondents are again granted ten (10) days time to file their replies on affidavit in specified formats after serving copy on the other parties and thereafter the Petitioners shall file the rejoinder within fifteen (15) days with a copy to the other parties as per directions contained in order dated 25.05.2010. List the matter for hearing on 19.09.2010.

Action may be taken for approaching Hon'ble High Court of Nainital. For expeditious disposal of the matter, the parties are directed to co-operate with the Commission and do not seek any un-necessarily adjournment. All parties are directed to maintain status-quo till further orders.

-Sd-

(Anand Kumar)
Member

-Sd-

(V J Talwar)
Chairman