

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Dated: 12<sup>th</sup> March, 2010**

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. H.L. Bajaj, Technical Member**

**Appeal No. 121 of 2007**

**U.P. Power Corp. Ltd.**

**... Appellant (s)**

**Versus**

**M/s Noida Power Co. Ltd. & Anr.**

**... Respondent(s)**

**Appeal No. 51 of 2009 &  
I.A. No. 134 of 2009**

**U.P. Power Corp. Ltd.**

**... Appellant (s)**

**Versus**

**U.P. Electricity Regulatory Commission & Anr.**

**... Respondent(s)**

Counsel for the Appellant (s) : Mr. Kamal Shankar & Mr. Vishal Anand  
Counsel for the Respondent (s) : Mr. M.G. Ramachandran & Mr. Vishal Gupta

**ORDER**

The learned counsel for the Appellant submits that in spite of their repeated intimations to the Appellant regarding the instructions in the matter, no instructions have been received by them.

We notice that Appeal No. 121 has been filed in the year 2007 and Appeal No. 51 has been filed in the year 2009. In fact, the Appeal filed in 2009 has been admitted on 06.05.2009. The diary extract would show that the matter is pending for a long time.

Several adjournments have been taken by the learned counsel for the Appellant on one pretext or the other. Now today, the learned counsel for the Appellant seeks permission to withdraw the Vakalatnama. These things would show that the Appellant is not interested in prosecuting the Appeals. Therefore the counsel for the Appellant is allowed to withdraw the Vakalatnama.

In view of the Order allowing the learned counsel for the Appellant to withdraw the Vakalatnama, it would be appropriate to post the matter for 'dismissal for default' on 15.03.2010. Mr. Vishal Anand, the learned counsel for the Appellant, submits that he will intimate this Order to the Appellant. Dasti service is permitted.

Post the matter for 'dismissal for default' on **15.03.2010.**

**(H.L. Bajaj)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**

**Dated: 12.03.2010.**