

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

**I.A. No. 72 of 2010 in
Appeal No. 85 of 2008**

Dated: 4th March, 2010

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

Polyplex Corporation Ltd.

.... Appellant (s)

Versus

Uttarakhand Electricity Regulatory Commission & Ors. ... Respondent (s)

Counsel for the Appellant (s) : Mr. Anand K. Ganesan &
Ms. Shikha Ohri

Counsel for the Respondent(s) : Mr. Suresh Tripathy

ORDER

I.A. No. 72 of 2010

It is represented by the learned counsel for the petitioner-Appellant that when they filed an Application before the Commission on 07.12.2009 praying for implementation of the Order dated 06.10.2009 passed by this Tribunal, the said Application was rejected on 15.12.2009 asking for the legal provision under which the Application had been filed. Thereafter, the Appellant again requested the Commission by

letter dated 20.12.2009 for implementation of the Order of this Tribunal. But, the Commission sent a letter dated 06.01.2010 reiterating the words contained in the letter dated 15.12.2009.

We have gone through the letters sent by the Commission through the Secretary. We are not happy with the wordings contained in the letter dated 15.12.2009 and 06.01.2010. As a matter of fact, the Commission has stated that they have received a certified copy of the Order dated 06.10.2010 passed by this Tribunal only on 14.12.2009 and they have been examining the legal aspects with respect to implementation of the said Order or otherwise. This statement in the letter sent by the State Commission reflects the unwillingness to comply with the Order passed by this Tribunal.

Hence, we are constrained to express our displeasure over the wordings contained in the above stated letters.

In these circumstances, we deem it appropriate to summon, both, the Chairman of the Commission as well as the Secretary, who had sent the letters, to give explanation to their statements made in the letters dated 15.12.2009 &

06.01.2010. Accordingly, both are directed to appear before this Tribunal on 09.03.2010 and file their explanation.

Post the matter on **09.03.2010.**

(H.L. Bajaj)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

Dated: 04.03.2010

surekha/balbir