

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

**Appeal No. 117 of 2011 and  
IA Nos. 192 & 193 of 2011**

**&**

**Appeal No. 100 of 2010**

**Dated: 4<sup>th</sup> January, 2012**

**Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. V.J. Talwar, Technical Member**

**In the matter of:**

**Konaseema Gas Power Limited**

**....Appellant (s)**

**Versus**

**Andhra Pradesh Electricity Regulatory Comm. & Ors.**

**... Respondent (s)**

Counsel for the Appellant (s) :

Mr. Amit Sibal, Mr.Jafar Alam,  
Mr. Sidharth Silwal  
a/w Mr. Amardeep Jaiswal &  
Ms. Spandan in Appeal No.117 of 2011

Mr. Sanjay Bhatt & Ms. Priya Pathania  
For Intervenors

Counsel for the Respondent (s)

Mr. K.V. Mohan &  
Mr. K.V. Balakrishnan for APERC  
Ms. Surbhi Sharma & Ms. Shikha Ohri  
For R- 2 to R-7  
Ms. K. Radha, C.E.(IPC)

**ORDER**

As we directed on the last date of hearing by the order dated 13.12.2011, the Chief Engineer who sent a letter to the Registrar earlier, is present today. She has also filed an affidavit tendering apology for sending such a letter to the Registrar.

We are not satisfied with the explanation given in the affidavit filed before us.

Even though the letter had been sent by the Chief Engineer to the Registrar of this Tribunal, the decision to send that letter to the Registrar of this Tribunal must have been taken by the Head of the department. It is verified that the Chief Engineer has been instructed by the head of the department, who took decision on directions issued by this Tribunal earlier. It is stated that Mr. Ajay Jain, Managing Director of the A.P. Transco is the head of the department, who took the decision.

So, it is better to ask Mr. Ajay Jain, Managing Director to give an explanation through an affidavit as to why a letter was sent to the Registrar through his officer, namely the Chief Engineer.

Accordingly, we direct Mr. Ajay Jain, Managing Director to be present on 2<sup>nd</sup> February, 2012 and file an Affidavit giving explanation.

Today, we have heard the arguments of the learned counsel for the Appellant on the merits of the Appeal. He seeks some more time for making further arguments.

Post the matter on 2.02.2012 at 2.30 p.m. for further hearing.

**(V. J. Talwar)**  
**Technical Member**

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