

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)**

**COURT-II**

**IA NO.1393OF 2021 IN  
DFR NO.322 OF 2021 &  
IA NOs.1394 & 1819 OF 2021,**

**IA NO.1865OF 2021 IN  
DFR NO.417 OF 2021 &  
IA NO. 1866 OF 2021**

**AND**

**IA NO.1871OF 2021 IN  
DFR NO. 419 OF 2021 &  
IA NO. 1872 OF 2021**

Dated: **15.07.2022**

Present: **Hon'ble Mr. Justice R.K. Gauba, Officiating Chairperson  
Hon'ble Mr. Sandesh Kumar Sharma, Technical Member**

**IA NO.1393OF 2021 IN  
DFR NO.322 OF 2021 &  
IA NOs.1394 & 1819 OF 2021**

**In the matter of:**

**The Electricity Department, Andaman and Nicobar  
Administration** .... **Appellant(s)**

*Versus*

**Joint Electricity Regulatory Commission** .... **Respondent(s)**

Counsel for the Appellant (s) : Ms. Ruchi Sindhwani  
Ms. Megha Bharara

Counsel for the Respondent (s) : Mr. Pradeep Misra  
Mr. Manoj Kr. Sharma for R-1  
Mr. Buddy A. Ranganadhan  
Mr. Krishna Dutta Multani  
Ms. Devina Sehgal for Impleader

**IA NO.1865 OF 2021 IN  
DFR NO.417 OF 2021 &  
IA NO. 1866 OF 2021**

**In the matter of:**

**The Electricity Department, Andaman and Nicobar  
Administration** .... **Appellant(s)**

*Versus*

**Sea Shell Hotels and Resorts & Ors.** .... **Respondent(s)**

Counsel for the Appellant (s) : Ms. Ruchi Sindhwani  
Ms. Megha Bharara

Counsel for the Respondent (s) : Mr. Buddy A. Ranganadhan  
Mr. Krishna Dutta Multani  
Ms. Devina Sehgal for R-1 & 2

Mr. Pradeep Misra  
Mr. Manoj Kr. Sharma for R-3

**IA NO.1871OF 2021 IN  
DFR NO.419 OF 2021 &  
IA NO. 1872 OF 2021**

**In the matter of:**

**The Electricity Department, Andaman and Nicobar  
Administration** .... **Appellant(s)**

*Versus*

**Aparupa Sands Marina &Anr.** .... **Respondent(s)**

Counsel for the Appellant (s) : Ms. Ruchi Sindhwani  
Ms. Megha Bharara

Counsel for the Respondent (s) : Mr. Buddy A. Ranganadhan  
Mr. Krishna Dutta Multani  
Ms. Devina Sehgal for R-1

Mr. Pradeep Misra  
Mr. Manoj Kr. Sharma for R-2

**ORDER**

**IA NOS.1393, 1865 & 1871 OF 2021**

*[Applications for condonation of delays in filling the appeals]*

There being no opposition and the delays having been properly explained, prayer for condonation is granted. Applications are disposed of accordingly.

**IA NO.1819 OF 2021**

*[Application for Impleadment/Inervention]*

The applicant has stake in the issue raised by this appeal and, therefore, the request for impleadment is allowed. It is impleaded as second respondent. Amended memo of parties shall be filed within one week. Copy of the appeal paper-book shall be served on the newly impleaded respondent. The learned counsel for the second respondent submits he does not wish to file any formal reply to the appeal. He would be at liberty to file written submission in the matter.

**IA NO.1394, 1866 & 1872 OF 2021**

*[Applications for Interim Relief]*

The questions of law to be addressed by the captioned applications are virtually same as have come up for consideration in the main appeals. The billing of the concerned entities by the appellant in the category of industry shall be without prejudice to the contentions of either side. Applications are disposed of with these observations.

**DFR NO.322 OF 2021**

**DFR NO.417 OF 2021**

**AND**

**DFR NO. 419 OF 2021**

The delays having been condoned; appeals shall be registered.

*Admit.*

We are informed the pleadings are complete in these matters.

The issue raised in these appeals is narrow. We direct this batch of appeals be included in the list of “*Short Matters*” to be taken up from there, in their turn.

The written submissions must be filed well in advance.

**(Sandesh Kumar Sharma)**  
Technical Member

**(Justice R.K. Gauba)**  
Officiating Chairperson

*vt/mkj*