

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

IA NO. 1448 OF 2018 IN
DFR NO. 3053 OF 2018

Dated: 20th November, 2018

Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member
Hon'ble Mr. S. D. Dubey, Technical Member

In the matter of:

Organisation of Indian Engineering Industries **Appellant(s)**
Versus
West Bengal Electricity Regulatory Commission & Anr. **Respondent(s)**

Counsel for the Appellant(s) : Ms. Aradhna Tandon

Counsel for the Respondent(s) : Mr. C.K. Rai
Mr. Sachin Dubey for R-1

Mr. Janmali Manikala for R-2/WBSEDCL

ORDER

IA NO. 1448 OF 2018
(For Condonation of Delay in Filing Appeal)

The learned counsel, Mr. C.K. Rai accepts notice on behalf of the first Respondent/State Regulatory Commission.

The learned counsel, Ms. Aradhna Tandon, appearing for the Appellant, submitted that, there is delay in filing the appeal which has been explained satisfactorily in the application and sufficient cause has been shown therein. The delay in filing the appeal is bonafide and unintentional. The delay has been caused due to the circumstances as explained above. Therefore, she submitted that, the delay may kindly be condoned and IA may kindly be allowed. The matter may kindly be heard on merit in the interest of justice and equity.

Submissions made by the counsel for the Appellant, as stated supra, are placed on record.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in the application,

as stated supra, we find that the delay has been explained satisfactorily as sufficient cause has been shown and reasoning assigned is bonafide in nature. We accept the reasoning assigned in the application and delay in filing the appeal is condoned. IA is allowed.

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Registry is directed to assign a regular number to the appeal and list the matter for admission on **28.11.2018**, subject to curing of defects.

(S.D. Dubey)
Technical Member

vt/bn

(Justice N. K. Patil)
Judicial Member