

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

IA NO. 1883 OF 2018 IN
DFR NO. 3592 OF 2018

Dated: 11th April, 2019

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. Ravindra Kumar Verma, Technical Member

In the matter of:

NTPC Limited **Appellant(s)**
Versus
Central Electricity Regulatory Commission & Ors. **Respondent(s)**

Counsel for the Appellant(s) : Mr. Anand K. Ganesan
Mr. Ashwin Ramanathan
Ms. Ritu Apurva
Mr. Utkarsh Singh

Counsel for the Respondent(s) : Ms. Mallika Sharma Bezbaruah
Mr. Saurabh Gandhi
Through Mr. H.M. Sharma for R-2&3
Mr. Avijit Roy for R-4

ORDER
IA No. 1883 of 2018
(For Condonation of Delay in Filing the Appeal)

We have heard the learned senior counsel appearing for the Appellant and the learned counsel appearing for the Respondent Nos. 2, 3 & 4. Respondent Nos. 1, 2, 5 & 10, though served, are unrepresented.

The learned counsel appearing for the Appellant submitted that, there is a delay of 441 days in filing the Appeal. Further, he pointed out and submitted that, in the light of the submissions made and the reasoning given at para 3 to 10 in the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing the Appeal may kindly be condoned and the instant application may kindly be allowed in the interest of justice and equity.

Per contra, the learned counsel appearing for the Respondent Nos. 2, 3 & 4 inter alia contended and submitted that in the light of above, delay explained in the application may kindly be considered and appropriate order may be passed to meet the ends of justice.

Submissions of the learned senior counsel appearing for the Appellant and the learned counsel appearing for the Respondent Nos. 2, 3 & 4, as stated above, are placed on record.

In the light of the submissions of the learned senior counsel appearing for the Appellant and after perusal of the reasoning given at paragraphs 3 to 10 in the application explaining the delay in filing the Appeal, the delay has been explained satisfactorily in the application and sufficient cause has been shown. The same was accepted and the delay in filing the Appeal is condoned. IA is allowed

DFR NO. 3592 OF 2018

Registry is directed to number the appeal and list the matter for admission on **22.04.2019.**

(Ravindra Kumar Verma)
Technical Member

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(Justice N. K. Patil)
Judicial Member