

COURT-II

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY (Appellate Jurisdiction)

**IA NO. 647 OF 2019, IA NO. 648 OF 2019, IA NO. 649 OF 2019 , IA
NO. 650 OF 2019 , IA NO. 651 OF 2019 IN
DFR NO. 1870 OF 2019**

Dated : 29th April, 2019

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

In the matter of:

**Chemplast Sanmar Limited : ... Appellant (s)
Versus
Tamil Nadu Electricity Regulatory Commission & Anr. : ...Respondent (s)**

Counsel for the Appellant(s) : Mr. Anand K. Ganesan
Ms. Swapna Seshadri

Counsel for the Respondent (s) : Mr. S. Vallinayagam
Ms. S. Amali for R-2

ORDER

The learned counsel Mr. S. Vallinayagam accepts notice on behalf of Respondent No.2.

Issue notice to the Respondent No.1 returnable on 21.05.2019. Dasti, in addition, is permitted.

(IA No. 647 of 2019 – Leave to file the Appeal)

We have heard the counsel for the Appellant on IA No. 647 of 2019.

In the light of the submissions of the counsel for the Appellant and after perusal of the statement made in the application, we find the same satisfactory and accepted. IA No. 647 of 2019 is allowed.

Application for leave to file the Appeal is granted and stands disposed of.

IA No. 648 of 2019
(For Condonation of Delay in Filing the Appeal)

We have heard the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondent No.2.

The learned appearing for the Appellant submitted that, there is a delay of 63 days in filing the Appeal. Further, he pointed out and submitted that, in the light of the submissions made and the reasoning given 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 No. 2 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 counsel appearing for the Appellant and the learned counsel appearing for the Respondent No.2, as stated above, are placed on record.

In the light of the submissions of the learned counsel appearing for the Appellant and after perusal of the reasoning given 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

IA-649/19
(For exemption from filing certified copy of impugned order)

Heard the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondents.

The learned counsel appearing for the Appellant submitted that IA No. 649 of 2019 (for exemption from filing certified copy of impugned order) may be allowed.

The submissions of the learned counsel appearing for the Appellant, as stated above, are placed on record.

In the light of the statement made by the learned counsel appearing for the Appellant in the IA No.649 of 2019 and the reasons stated therein, IA is allowed. IA for production of certified copy is disposed of.

The learned counsel appearing for the Appellant is directed to file certified copy of the impugned order within a period of eight weeks' i.e. on or before 02.07.2019.

IA No. 651 of 2019
(For dispense the requirement for
impleading other parties)

The learned counsel, Mr. Anand K. Ganesan, appearing for the Appellant, submitted that, the instant IA has been filed by the Appellant for dispense the requirement for impleading other parties. In the light of the statement made in the application and the reasons assigned therein, the same may kindly be accepted and the IA may kindly be allowed.

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

In the light of the submission of the counsel for the Appellant and the statement made in the application, the same was accepted and IA is allowed at the risk of the counsel for the Appellant.

Order accordingly.

DFR NO. 1870 OF 2019

Registry is directed to number the appeal and list the matter for admission on **21.05.2019.**

(Ravindra Kumar Verma)
Technical Member
mk/bn

(Justice N.K. Patil)
Judicial Member