

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

**IA NOS. 1161 OF 2018 & 1160 OF 2018 IN**  
**DFR NO. 1658 OF 2018**

**Dated : 28<sup>th</sup> August , 2018**

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

**In the matter of:**  
**TANGEDCO**

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

**Versus**

**Central Electricity Regulatory Commission & Ors.**

**.... Respondent(s)**

Counsel for the Appellant(s) : Mr. S. Vallinayagam

Counsel for the Respondent(s) : Ms. Suparna Srivastava  
Ms. Nehul Sharma for R-2

**ORDER**

**IA No. 1161 of 2018**

**(For Condonation of Delay in Re-filing the Appeal)**

Heard the learned counsel, Mr. S. Vallinayagam, appearing for the Appellant,

The learned counsel appearing for the Appellant submitted that, there is delay of 38 days in re-filing the Appeal. Further, she 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 re-filing the Appeal may kindly be condoned and the instant application may kindly be allowed in the interest of justice and equity.

Submissions made by the learned counsel appearing for the Appellant, as stated above, are placed on record.

In the light of the submissions made by the learned counsel appearing for the Appellant and after perusal of the reasoning given in the application explaining the delay in re-filing the Appeal, we find it satisfactory as sufficient

cause has been shown in the application. The same is accepted and the delay in re-filing the Appeal is condoned. IA No. 1161 of 2018 is allowed.

**DFR NO. 1658 OF 2018**

Issue notice to the Respondents.

The learned counsel, Ms. Suparna Srivastava, accepts notice on behalf of the second Respondent.

Issue notice to the Respondent Nos. 1 & 3 to 19 returnable on 20.09.2018. Dasti, in addition, is also permitted.

List this matter for on **20.09.2018**.

**(S.D. Dubey)**  
**Technical Member**  
*vt/vg*

**(Justice N.K. Patil)**  
**Judicial Member**