

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

IA NO. 1272 OF 2018 IN
DFR NO. 2741 OF 2018

Dated : **3rd December, 2018**

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

In the matter of:
GRIDCO Limited

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

M/s Vedanta Limited & Ors.

Versus

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

Counsel for the Appellant(s) :

Mr. R.K. Mehta
Ms. Himanshi Andley

Counsel for the Respondent (s) :

Mr. Hemant Singh
Mr. Nishant Kumar
Ms. Jyotsna Khatri for R-1

Mr. Soumyajit Pani for State of Odisha

Mr. Rutwik Panda
Ms. Anshu Malik for R-6

ORDER
IA NO. 1272 of 2018
(For Condonation of Delay in Filing the Appeal)

The learned counsel Mr. R.K. Mehta appearing for the Appellant submitted that the instant application filed by the Appellant for condonation of delay for 413 days in filing the Appeal which has been satisfactorily explained in the application and in additional affidavit dated 03.10.2018 wherein detailed dates and event have been given and sufficient cause has been made out in accompanying affidavit along with application. The delay is not intentional and deliberate on behalf of the Appellant and it is bonafide in nature. Therefore, in view of the law laid down by the Apex Court and this Tribunal in its judgments, delay explained may kindly be accepted and delay in filing may be condoned and the matter may be heard on merits in the interest of justice and equity.

Per contra, the learned counsel for the Respondents submitted that in the light of above, delay explained in the additional affidavit may be considered and appropriate order may be passed to meet the end of justice.

The submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the Respondent Nos. 1 and 6, as stated supra, are placed on record.

In the light of the submissions made by the learned counsel appearing the Appellant and the Respondents and after careful perusal of the application and the additional affidavit delay in filing has been explained satisfactorily and sufficient cause has been made out. The same is accepted and the delay in filing the appeal is condoned. IA No. 1272 of 2018 for delay in filing the Appeal is allowed.

Registry is directed to number the Appeal and post the matter for admission on **05.12.2018**.

(Ravindra Kumar Verma)
Technical Member

mk/bn

(Justice N. K. Patil)
Judicial Member