

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

IA NO. 1904 OF 2018 IN
DFR NO. 3728 OF 2018

Dated : 18th February, 2019

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

In the matter of:

Matrix Power (Wind) Private Limited

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s): Mr. Vishrov Mukerjee
Ms. Raveena Dhamija

Counsel for the Respondent(s): Mr. Shahbaz Hussain
Mr. Fahad Khan for R-2

ORDER

The learned counsel, Mr. Shahbaz Hussain, accepts notice on behalf of the second Respondent.

IA No.1904 of 2018

(For Condonation of Delay in Filing the Appeal)

We have heard the learned counsel, Mr. Vishrov Mukerjee, appearing for the Appellant and the learned counsel, Mr. Shahbaz Hussain, appearing for the second Respondent.

Respondent Nos. 1 and 3, though served, are unrepresented.

The counsel, Mr. Vishrov Mukerjee, appearing for the Appellant, submitted that, there is a delay of 09 days in filing the appeal which has been explained satisfactorily in para 3 to 5 of 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, he 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.

Submission of the counsel for the Appellant, as stated supra, is placed on record.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned at para 3 to 5 of the application, 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.

DFR NO. 3728 OF 2018

Registry is directed to number the appeal and list the matter for admission on 25.02.2019, as agreed by the counsel for the Appellant and the second Respondent

(Ravindra Kumar Verma)
Technical Member
vt/js

(Justice N.K. Patil)
Judicial Member