COURT-II

Before the Appellate Tribunal for Electricity (Appellate Jurisdiction)

IA No. 465 of 2015 in DFR No. 2125 of 2015

Dated: 29th February, 2016

Present: Hon'ble Mr. Justice Surendra Kumar, Judicial Member

Hon'ble Mr. T. Munikrishnaiah, Technical Member

In the matter of:-

Meghalaya Power Distribution Corporation Ltd. ... Applicant/Appellant(s)

Versus

Meghalay State Electricity Regulatory Commission ... Respondent(s)

Counsel for the Appellant(s) : Mr. Sakie Jakharia

Counsel for the Respondent(s) : Mr. Buddy A. Ranganadhan and

Mr. D.V.Raghu Vamsy for R.1

ORDER

IA No. 465 of 2015 in DFR No. 2125 of 2015 has been moved on behalf of the applicant/appellant, seeking condonation of delay of 24 days, on the ground that a Review Petition was filed against the main order and the Review Petition has been partly allowed in favor of the applicant. Thus the main order as well as the Review Order has been challenged in the same appeal but the Court Fees for two Appeals has been paid. The said delay of 24 days is alleged to have been caused due to the deliberations in the Legal Department of the Government DISCOM and after final decision to file the appeal, the said appeal has been filed.

We have considered the grounds and the reason mentioned therein in the condonation application and we are satisfied that the said delay is *bona fide* and a genuine one entitling the applicant/appellant to condonation of the said delay. The said delay is accordingly condoned. Apart from which there is no objection from the other side though the learned counsel for the respondent is present but he keeps mum. In these circumstances, the delay is condoned. *Interlocutory Application No.*

465 of 2015 is hereby disposed of.

Heard. Admit.

There is some dispute regarding payment of power purchase cost. Since the sole respondent has already put in appearance there is no need to issue notice. The learned counsel for the respondent, Commission, prays for and is granted four weeks time to file counter Affidavit/reply, rejoinder be filed thereafter. Since it is a tariff appeal, by the distribution licensee, *public notice be issued*.

Post the matter for hearing on 28th April 2016.

(T. Munikrishnaiah) Technical Member (Justice Surendra Kumar)
Judicial Member

sh/kt