

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
AT NEW DELHI**

(APPELLATE JURISDICTION)

I.A. NO.238 OF 2015
IN
DFR No.1085 OF 2015

Dated : 15th January, 2016.

**Present: Hon'ble Smt. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member.**

IN THE MATTER OF:

1. M/s Vedanta Ltd
(Formerly known as M/s Sesa Sterlite
Limited)
1st Floor, Fortune Tower,
Chandrasekharpur,
Bhubaneswar-751023
Odisha.

....Appellant(s)/
Applicant(s)

Versus

1. Odisha Electricity Regulatory)
Commission)
Bidyut Niyamaka Bhawan, Unit-VIII)
Bhubaneswar-751012,)
Odisha.)

2. The Authorised Officer)
WESCO Utility(Formerly known as)
Western Electricity Supply Company of)
Odisha Ltd.,))
At/Po: Burla-768017, Sambalpur,)
Odisha.)

3. The Authorised Officer)
NESCO Utility(Formerly known as)
North Eastern Electricity Supply)
Company of Odisha Ltd.,))
Corporate Office:)
Januganj, Balasore-756019)
Odisha.)
4. The Authorised Officer)
SOUTHCO Utility (Formerly known as)
Southern Electricity Supply Company)
of Odisha Ltd))
Corporate Office:)
Courtpeta, Berhampur-760004)
Odisha.)
5. The Chief Executive Officer)
Central Electricity Supply Utility of)
Odisha Ltd.,(CESU))
2nd Floor, IDCO Towers,)
Janpath, Bhubaneswar-751022)
Odisha.)
6. M/s Jayshree Chemicals Limited,)
P.O.Jayashree-761025)
Dist: Ganjam-760001, Odisha.)
7. Shri R.P. Mohapatra)
Retd. Chief Engineer &)
Member(Gen.OSEB),)
Plot No.775(pt), Lane-3)
Jaydev Bihar, Bhubaneswar-751013)
Odisha)
8. M/s. Ferro Alloys)
Corporation Limited)
D.P. Nagar, At/Po:Randia)
Dist:Bhadrak-756135)
Odisha.)

9. Independent Power Producers)
 Association of India, Shubanchal)
 Hostel Building)
 Near Vikas Sadan)
 INA Colony, New Delhi-110023)
10. M/s. Power Tech Consultants)
 1-A/6, Swativilla, Surya Vihar)
 Link Road, Cuttack-753012)
 Odisha.)Appellant(s)/
 Applicant(s)

Counsel for the
 Appellant(s)/Applicants ... Mr. Sanjay Sen, Sr. Adv.
 Mr.Hemant Singh

Counsel for the Respondent(s) ...Mr. Rutwik Panda
 Mrs. Anshu Malik
 Mr.G. Umapathy for R.1

Mr. Buddy A. Ranganadhan
 Mr. Hasan Murtaza
 Ms. Malaika Prasad for R.2

Mr. Raj Kumar Mehta
 Mr. Abhishek Upadhyay
 Ms. Himanshi Andley for R.3

ORDER

PER HON'BLE (SMT.) JUSTICE RANJANA P. DESAI - CHAIRPERSON

1. The Appellant has preferred the above appeal against the impugned Order dated 13/7/2012 passed by the Odisha Electricity Regulatory Commission ("Odisha Commission") in Case Nos.5, 6, 7 and 8 of 2011 and Case Nos.24, 25, 26 and 27

of 2012. The present Appellant is concerned with Case No.6 of 2011 and Case No.25 of 2012 filed by WESCO. The Appellant has filed the instant application for condonation of delay of 977 days in filing the present appeal.

2. Today, we have condoned the delay of 1727 days in filing the appeal filed by the Appellant against order dated 24/06/2010 passed by Odisha Commission by saddling the Appellant with costs of Rs.50,000/- to be paid to “The Child Relief and You (CRY)”. Similar issues which are involved in this appeal are involved in the said appeal.

3. In the present application for condonation of delay, the explanation offered by the Appellant is almost identical to the explanation offered for condonation of delay in filing the above mentioned appeal. Hence, for the reasons stated in the said order in I.A. No.221 of 2015, we condone the delay upon the Appellant depositing an amount of Rs.30,000/- with “**The Child Relief and You (CRY)**”, 632, 2nd Floor, Lane N.3, West End Marg, Saiyadul Ajaib, New Delhi, within three weeks from today. Upon such deposit being made, the delay shall stand condoned. The

Registry shall then register the appeal. Needless to say that if the amount is not paid as directed, the appeal shall stand dismissed. If the amount is deposited as directed, the Registry to place the appeal on board on 10/02/2016.

4. I.A. No.238 of 2015 is disposed of in the aforesaid terms.

I.J. Kapoor
[Technical Member]

Justice Ranjana P. Desai
[Chairperson]