

COURT-I

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

**IA No. 309 of 2016 in
DFR No. 1404 of 2016**

Dated: 3rd June, 2016

**Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. B.N. Talukdar, Technical Member**

In the matter of :

**Central U.P. Gas Ltd. ...Appellant(s)
Versus
Petroleum & Natural Gas Regulatory Board ...Respondent(s)**

Counsel for the Appellant(s) : Mr. K. K. Rai, Sr. Adv.
Mr. S. K. Pandey
Mr. Anshul Rai

Counsel for the Respondent(s) : Mr. Sumit Kishore
Ms. Aparna Vohra for R-1

ORDER

**IA No. 309 of 2016
*(Appl. for condonation of delay)***

There is 177 days delay in filing this appeal. Hence, this application is filed praying that the delay may be condoned.

The impugned order is dated 12.10.2015. It appears that since this Tribunal was not functional at that time, the Appellant had approached the Delhi High Court by filing Writ Petition (c)

No. 11537 of 2015 challenging the impugned order. On 22.04.2016, the Delhi High Court passed the following order: -

“Since the Appellate Tribunal for Electricity (APTEL) is now functional, learned senior counsel for the petitioner wishes to withdraw the present writ petitions with liberty to approach the APTEL.

With the aforesaid liberty, the present writ petitions are disposed of. It is clarified that in the event, appropriate petitions are filed with the APTEL within a period of two weeks, the same shall not be dismissed on the ground of limitation.”

Pursuant to this order, the Appellant has filed the present appeal. Since the Appellant had approached the Delhi High court because this Tribunal was not functional, the delay will have to be condoned. The delay is accordingly condoned. The application is disposed of.

Registry is directed to number the appeal and list the matter for admission on 05th August, 2016.

(B.N. Talukdar)
Technical Member
ts/jp

(Justice Ranjana P. Desai)
Chairperson