

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

IA NO. 1837 OF 2018 IN
DFR NO. 3446 OF 2018

Dated: 14th March, 2019

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

In the matter of:

Vijayalakshmi Hydro Power Pvt. Ltd. Appellant(s)

Vs.

Karnataka Power Transmission Corporation Ltd. & Ors. Respondent(s)

Counsel for the Appellant (s) : Mr. Ankit Shah

Counsel for the Respondent (s) : Mr. Balaji Srinivasan
Ms. Pallavi Sengupta
Mr. Mayank Kshirsagar for R-1 & R-2

ORDER

[IA No. 1837of 2018 - For Condonation of Delay in Filing the Appeal]

We have heard the learned counsels, Mr. Ankit Shah and Ms. Pallavi Sengupta, appearing for the Appellant and the Respondent Nos. 1 & 2 respectively.

The counsel for the Appellant, at the outset, submitted that, there is a delay of 320 days in filing the Appeal. Further, he pointed out and submitted that, in the light of the submissions made and the reasoning given at paras 4 to 10 of the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing the Appeal may kindly be condoned and the instant application may kindly be allowed in the interest of justice and equity.

Per-contra, the counsel for the Respondent Nos. 1 and 2, *inter-alia*, contended and submitted that, the delay has not been explained satisfactorily and sufficient cause has not been shown by the Appellant in the application. Therefore, the instant application may kindly be dismissed on the ground of delay and laches.

Submissions of the counsel for the Appellant and the Respondent Nos. 1 & 2, as stated above, are placed on record.

After considering the submissions of the counsel for the Appellant and the Respondent Nos. 1 & 2, and after perusal of the statement and the reasoning given in the application at paragraphs 4 to 10 explaining the delay in filing the Appeal, the Appellant has explained the delay satisfactorily in the application and sufficient

cases has been shown. The same was accepted and the delay in filing the Appeal is condoned. IA is allowed.

DFR NO. 3446 OF 2018

Registry is directed to number the appeal and list the matter for admission on **25.03.2019**, as requested.

(Ravindra Kumar Verma)
Technical Member

vt/ss

(Justice N. K. Patil)
Judicial Member