

COURT - I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

**IA NO. 2 OF 2017 IN
DFR NO. 3864 OF 2016**

Dated: 15th March, 2017

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

In the matter of :

Power Grid Corporation of India Ltd. ...Appellant(s)

Vs.

Central Electricity Regulatory Commission & Ors. ...Respondent(s)

Counsel for the Appellant(s) : Mr. Matrugupta Misra
Ms. Shikha Ohri
Mr. Nimesh Jha

Counsel for the Respondent(s) : -

ORDER

**IA NO. 2 OF 2017
(Appl. for condonation of delay)**

There is 503 days' delay in filing this appeal. In this application, the Applicant/Appellant has prayed that delay may be condoned.

All the Respondents have been served. However, nobody is representing the respondents.

We have heard learned counsel for the Appellant and perused the explanation offered for the delay in filing the appeal. It appears that after the impugned order was passed on 20.05.2015, the appellant preferred a review petition, which came to be disposed of on 22.08.2016. The said

order was communicated to the Appellant on 12.09.2016. In paragraph No.7 of the application, the Appellant had explained what steps it has taken to file the present appeal. It would be advantageous to quote paragraph No.7, which reads as under:

“It is further submitted that post disposal of the said Review Petition, the Applicant/Appellant had taken an in-principle decision to challenge the said impugned order by preferring an appeal before this Hon’ble Tribunal. A certified copy of the order dated 22.08.2016 was received by the Applicant/Appellant on 12.09.2016, where after, legal counsel was engaged for a detailed consideration of the merits and infirmity in the order dated 22.05.2015 and 22.08.2016. The Appellant/Applicant thereafter discussed the matter internally and engaged the present legal counsel on 20.09.2016. A first draft of the instant appeal was prepared and circulated on 30.09.2016 and thereafter detailed discussions and conferences ensued, further documents were procured for preparation of the appeal. The counsel after preparing the second draft upon being instructed by the Applicant/Appellant got the draft vetted by a senior counsel. After vetting by the senior counsel and upon making the necessary insertions, a final draft was circulated on 16.11.2016. Thereafter, the final draft was internally approved by the Applicant/Appellant and sent to the counsel along with necessary documents on 22.11.2016. Hence, the instant appeal is being filed as on 24.11.2016 along with the present application.”

Having perused the above explanation offered by the Appellant, we are of the opinion that delay deserved to be condoned since sufficient cause has been made out. Hence, delay in filing the appeal is condoned. Application is disposed of.

Registry is directed to number the appeal and list the matter for admission on 06.04.2017.

(I. J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/sh