

COURT-I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA NO. 105 OF 2016 IN
DFR NO. 1385 OF 2015

Dated: 19th May, 2016

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

In the matter of:-

M/s. Ramnik Power & Alloys Pvt. Ltd.

...Appellant(s)

Versus

**Madhya Pradesh State Electricity Regulatory
Commission & Anr.**

...Respondent(s)

Counsel for the Appellant(s) : Ms. Suparna Srivastava
Mr. Raghav Kapoor

Counsel for the Respondent(s) : Mr. C.K. Rai
Mr. Paramhans for R.1
Mr. Manoj Dubey for R.2

ORDER

IA NO. 105 OF 2016
(Appl. for condonation of delay)

There is 102 days delay in filing this appeal. In this application, the applicant/appellant has prayed that the delay be condoned.

The following is the explanation offered by the applicant/appellant:

“That the impugned Order dated 12.02.2015 passed by Respondent No.1 Commission was received by the appellant on 08.05.2015. The appellant filed a Review Petition against the said order, which was

disposed of vide Order dated 06.05.2015 of the Respondent No.1 Commission. Being aggrieved by the said order, the appellant decided to file the above appeal before this Hon'ble Tribunal. However, due to paucity of funds on account of difficulty in operation of bank accounts under severely curtailed credit limits, the appellant first arranged the filing fee and thereafter approached its counsel for preparation of appeal. After detailed discussions with the counsel, the said appeal was drafted and filed on 06.07.2015 after a delay of 102 days. The said delay is *bona fide* and unintentional and is liable to be condoned by this Hon'ble Tribunal."

We have heard learned counsel for the respondent, who has opposed the condonation of delay.

In the facts and circumstances of the case and having regard to the explanation offered by the applicant/appellant, we deem it appropriate to condone the delay subject to payment of cost of Rs.25,000/- (Rupees twenty five thousand only) to a charitable organisation, namely, "**SAI DEEP DR. RUHI FOUNDATION, A/c No. 952663443, A-508, SECTOR 19, NOIDA -201301**"- within two weeks from today. Accordingly, the application is disposed of.

On receipt of compliance report, registry is directed to number the appeal and list it for admission on **12.07.2016**.

(I.J. Kapoor)
Technical Member
ts/mk

(Justice Ranjana P. Desai)
Chairperson