

COURT-I

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

**IA NO. 774 OF 2017 IN
DFR NO. 2517 OF 2017**

Dated: 27th November, 2017

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

In the matter of:

TANGEDCO

.... Appellant(s)

Vs.

Central Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. S. Vallinayagam

Counsel for the Respondent(s) : -

ORDER

**IA NO. 774 OF 2017
*(Appln. for condonation of delay)***

There is 98 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 and no reply has been filed by them.

We have heard learned counsel for the appellant and perused the explanation offered for the delay in filing the appeal. The relevant paragraphs of the explanation read as under:

"4. The papers relating to the appeal were forwarded to the accounts department of the appellant organisation for its approval to file the appeal on

14.06.2017. Subsequent to the approval granted by the accounts department to file appeal the papers were sent to the legal department for its consent on 15.06.2017. After grant of approval by the legal department on 16.06.2017 the appellant sent the papers to the counsel at Delhi for getting the draft appeal. The draft appeal was ready in the second week of June 2017.

5. The counsel for appellant at Delhi sent the draft appeal to the appellant for its approval and the appellant after due consideration of the facts and grounds raised in the appeal, approved the same for filing before this Hon'ble Appellate Tribunal on 28.06.2017.

6. The requisite court fee for filing the appeal was sanctioned. The approved and signed appeal with Vakalatnama and affidavit accompanied with the court fee for filing the appeal was received by the counsel for appellant at Delhi on 03.07.2017. The relevant documents which were not legible were typed at Delhi and the appeal is filed today.”

Having considered the above explanation, we are of the opinion that the appellant has made out a case for condonation of delay. 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 **22.01.2018**.

(I.J. Kapoor)
Technical Member

ts/tpd

(Justice Ranjana P. Desai)
Chairperson