

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

IA NOS. 1193 & 1194 OF 2018 IN
DFR NO. 2450 OF 2018

Dated: 25th October, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. S. D. Dubey, Technical Member

In the matter of:

M/s Rimjhim Ispat Limited.

.... Appellant(s)

Versus

Uttar Pradesh Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. D. D. Chopra

Counsel for the Respondent(s) : Mr. C.K.Rai
Mr. Sachin Dubey for R-1

Mr. Rajiv Srivastava
Ms. Gargi Srivastava
Ms. Garima Srivastava
Ms. Harshita Sinha for R-2

ORDER

IA No. 1193 of 2018
(Leave to file the Appeal)

We have heard the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondent Nos. 1 and 2 on IA No. 1193 of 2018.

In the light of the submissions made by the learned counsel appearing for the Appellant and the Respondent and after perusal of the statement made in the application, we find the same satisfactory and accepted. IA is allowed. Application for leave to file the Appeal is granted and stands disposed of.

IA No. 1194 of 2018
(For Condonation of Delay in Filing the Appeal)

The learned counsel, Mr. D.D. Chopra, appearing for the Appellant, submitted that, there is a delay of 179 days in filing the appeal which has been explained satisfactorily in the application and sufficient cause has been shown

therein. The delay in filing the appeal is bonafide and unintentional. The delay has been caused due to the circumstances as explained above. Therefore, he submitted that, the delay may kindly be condoned and IA may kindly be allowed. The matter may kindly be heard on merit in the interest of justice and equity.

Submission made by learned counsel appearing for the Appellant, as stated above, is placed on record.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in the application, we find that the delay has been explained satisfactorily as sufficient cause has been shown and reasoning assigned is bonafide in nature. We accept the reasoning assigned in the application and delay in filing the appeal is condoned. IA is allowed.

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Registry is directed to number the appeal and list the matter for admission on 14.11.2018, as agreed by learned counsel appearing for the Appellant and the Respondents.

(S. D. Dubey)
Technical Member
vt/pk

(Justice N. K. Patil)
Judicial Member