

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

IA NO. 1412 OF 2018 IN
DFR NO. 2877 OF 2018

Dated: 31st October, 2018

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

In the matter of:

Indian Wind Energy Association	Appellant(s)
Vs.		
Tamil Nadu Electricity Regulatory Commission & Ors.	Respondent(s)

Counsel for the Appellant (s) : Ms. Poonam Verma
Ms. Abiha Zaidi

Counsel for the Respondent (s) : Mr. S. Vallinayagam
Ms. S. Amali for R- 2 & 3

ORDER
IA NO. 1412 OF 2018 – (Delay in filing)

The learned counsel, Ms. Poonam Verma, appearing for the Appellant submitted that the delay of 67 days' in filing the Appeal has been explained satisfactorily and sufficient cause has been shown in paragraph no. 3 to 9 of the application. The same may kindly be accepted and delay in filing may kindly be condoned in the interest of justice and equity.

Submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the respondents, as stated above, are placed on record.

In the light of the submission made by the learned counsel appearing for the Appellant and after careful perusal of the paragraph no. 3 to 9 in the application explaining the delay in filing the appeal, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the appeal is condoned. The IA is allowed.

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Mr. S. Vallinayagam accepts notice on behalf of Respondent Nos.2 & 3.

The learned counsel appearing for the Respondent Nos.2 & 3 prays that some reasonable time may be granted to him to take necessary instructions in the matter.

Submission made by the counsel appearing for the Respondent Nos. 2 & 3 as stated above, is placed on record.

The learned counsel appearing for the Respondent Nos. 2 & 3 prays for four weeks' time to file the reply and the learned counsel appearing for the Appellant prays for three weeks' time to file the rejoinder.

Submissions made by the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondent Nos. 2 & 3, as stated above, are placed on record.

The learned counsel appearing for the Respondents are permitted to file reply on or before 28.11.2018 after serving copy to the learned counsel for the Appellant. Thereafter, learned counsel appearing for the Appellant is also permitted to file rejoinder, if any, on or before 19.12.2018, after serving copy to the learned counsel for the appearing Respondents.

Registry is directed to number the appeal and list the matter for admission on **21.12.2018**. In the meanwhile, pleadings be completed.

(S.D. Dubey)
Technical Member
bn/pr

(Justice N.K. Patil)
Judicial Member