

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

IA NO. 1538 OF 2018 IN
DFR NO. 4123 OF 2018

Dated: 29th October, 2018

Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. B. N. Talukdar, Technical Member (P&NG)

In the matter of:

IMC Limited **Appellant(s)**
Versus
Petroleum and Natural Gas Regulatory Board & Anr. **Respondent(s)**

Counsel for the Appellant(s) : Ms. Bhargavi Kannan
Ms. Nafisa
Ms. Aishwarya Modi

Counsel for the Respondent(s) : Mr. Prashant Bezbaruah for R-1
Mr. Gaurav Mitra for R-2

ORDER

IA NO. 1538 OF 2018

(Application for condonation of delay in filing appeal)

Issue notice to the respondents returnable on 16-11-2018. Mr. Prashant Bezbaruah, learned counsel takes notice on behalf of Respondent No. 1 and Mr. Gaurav Mitra, learned counsel takes notice on behalf of Respondent No. 2.

With the consent of the parties, the application is taken up today.

The instant application is filed seeking condonation of delay in filing the appeal by 10 days. As a matter of fact, the subject matter in this appeal is the subject matter of challenge in Appeal No. 292 of 2018 pertaining to 9th round of bidding so far as Kanchipuram District (Geographical Area 61). Since the subject matter is already under challenge and if Appeal No. 292 of 2018 were to be allowed, the second highest bidder would be the Appellant, i.e. IMC Limited. Therefore, we are of the opinion that no prejudice, whatsoever, would be caused to the Board and other parties, if delay is condoned.

Further, on merits every party to the proceedings would get an opportunity to put-forth their respective case/defence.

With these observations, the application is allowed and delay in filing the appeal is condoned.

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Registry is directed to number the appeal.

Admit. Learned counsel for the respondents may file reply within 10 days, i.e. on or before 12-11-2018 with advance copy to the other side. Thereafter, rejoinder may be filed with advance copy to the other side.

List the matter on **16-11-2018**. Tag to Appeal No. 292 of 2018.

(B. N. Talukdar)
Technical Member (P&NG)

tpd/js

(Justice Manjula Chellur)
Chairperson