

COURT-I

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

**IA NOs. 422 & 423 OF 2016
IN DFR NO. 1476 OF 2016**

Dated: 29th September, 2016

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

In the matter of:

**Fortune Five Hydel Project Pvt. Ltd. ... Appellant(s)
Vs.
Karnataka Electricity Regulatory Commission & Anr. ... Respondent(s)**

Counsel for the Appellant(s) : Mr. Basava Prabhu Patil, Sr. Adv.
Mr. Shailesh

Counsel for the Respondent(s) : Mr. Anand K. Ganesan for R-1

ORDER

**IA NO. 423 OF 2016
(Appl. for leave to file appeal)**

In this application the appellant has prayed that it may be permitted to file the present appeal against the Order dated 30.03.2016 passed by the Karnataka Electricity Regulatory Commission. Notice was issued on 27.07.2016. Affidavit of service is filed by the appellant. Mr. Anand K. Ganesan appears on behalf of Respondent No.1. Despite service, nobody represents Respondent No.2.

We have heard learned counsel for the appellant and learned counsel for Respondent No.1. Having heard learned counsel and on a perusal of the application, we are of the opinion that the prayer made by the appellant deserves to be granted. Hence, permission to file this appeal is granted. Application is disposed of.

IA NO. 422 OF 2016
(Appl. for condonation of delay in re-filing the appeal)

This is an application for condonation of delay of 45 days in re-filing the appeal. In this application, the applicant/appellant has prayed that the delay in re-filing the appeal be condoned.

Mr. Anand K. Ganesan appears on behalf of Respondent No.1. Despite service, nobody represents Respondent No.2.

We have heard learned counsel for the appellant and learned counsel for Respondent No.1.

For the reasons stated in the application, delay is condoned. Application is disposed of.

Registry is directed to number the appeal and list the matter for admission on **20.10.2016**.

(I.J. Kapoor)
Technical Member

(Justice Ranjana P. Desai)
Chairperson

ts/vt