

COURT-II

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)**

**IA NOS. 1144, 1145 OF 2018
IN DFR NO. 2496 OF 2018**

Dated: 14th September, 2018

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

In the matter of :

Watsun Infrabuild Pvt. Ltd.

.... Appellant(s)

Versus

Tamil Nadu Electricity Regulatory Commission & Anr.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Sanjay Sen, Sr. Adv.
Mr. Sumanta Nayak
Mr. Samiron Borkataky
Ms. Kritika Angirish
Mr. Soumya Parida (Rep.)

Counsel for the Respondent(s) : Mr. Sethu Ramalingam for R-1
Mr. S. Vallinayagam for R-2

ORDER

**IA NO. 1144 OF 2018
*(Application for leave to appeal)***

The learned senior counsel, Mr. Sanjay Sen appearing for the Appellant, submitted that, statement in paragraph 4 and 5 may kindly be accepted and Application for leave to file appeal may be allowed. The matter may kindly be heard on merit in the interest of justice and equity:-

The submissions of the learned senior counsel appearing for the appellant as stated supra are placed on record.

In light of the statement made and for the reasons stated in paragraph 4 & 5 as accepted, Application filed for leave to file appeal is allowed.

ORDER

(IA No. 1145 of 2018 (*Application for condonation of delay*))

The learned senior counsel, Mr. Sanjay Sen appearing for the Appellant, submitted that, there is a delay of 49 days in filing the appeal which has been explained satisfactorily in para 7 b) & c) & 8 of 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.

After careful consideration of the submissions made by the learned senior 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.

Registry is directed to number the appeal and list the matter for admission on **19.09.2018**.

(S.D. Dubey)
Technical Member
mk/vg

(Justice N.K. Patil)
Judicial Member