

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

**IA NO. 881 OF 2018 IN**  
**DFR NO.1853 OF 2018**

**Dated : 26<sup>th</sup> September, 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. Panchakshari Power Projects LLP**

**.... Appellant(s)**

**Versus**

**Karnataka Electricity Regulatory Commission & Ors.**

**.... Respondent(s)**

Counsel for the Appellant(s) : Mr. Rajiv Yadav  
Mr. Chirag K.

Counsel for the Respondent(s) : Mr. Balaji Srivivasan  
Ms. Pallavi Sengupta for R-2

Mr. Nithin Saravanan  
Ms. Arunima Singh  
Mr. G.S. Kumar for R-4

**ORDER**

*(IA No. 881 of 2018 – Condonation of delay in filing Appeal)*

Heard learned counsel appearing for the Appellant and learned counsel appearing for the Respondent Nos. 2 & 4.

The learned counsel, Mr. Rajiv Yadav, appearing for the Appellant, at the outset, submitted that, there is a delay of 67 days in filing the appeal which has been explained satisfactorily in para 4 to 7 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.

Learned counsel appearing for the Respondents submitted that, they have filed their respective objections opposing the IA filed by the Appellant for

condonation of delay. The same may kindly be taken on record and an appropriate action may kindly be passed.

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

After careful consideration of the submissions of the learned counsel appearing for both the parties and after perusal of the reasons assigned in the application, we find that the delay has been explained satisfactorily as sufficient cause has been shown in paragraphs 6 to 12 of the application 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.

**DFR NO. 1853 OF 2018**

Registry is directed to number the appeal and list the matter for admission on **04.10.2018**.

**(S. D. Dubey)**  
**Technical Member**

*vt/pk*

**(Justice N. K. Patil)**  
**Judicial Member**