

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)

IA NO. 930 OF 2018
IN DFR NO. 2374 OF 2018

Dated: 20th September, 2018

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

In the matter of :

International Power Corporation Private Limited Appellant(s)
Versus
Karnataka Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. Sridhar Prabhu
Mr. Anantha Narayana M.G.

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

ORDER
(IA no. 930 of 2018)
(For Condonation of Delay in Filing the Appeal)

We have heard the learned counsel appearing for the Appellant and the learned counsel appearing for the second Respondent.

The learned counsel, Mr. Anantha Narayana M.G., appearing for the Appellant, submitted that, there is a delay of 50 days in filing the appeal which has been explained satisfactorily in para nos. 4 to 6 of the application and sufficient cause has been shown therein. The delay in filing the appeal is *bona fide* 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.

The learned counsel appearing for the second Respondent submitted that, the submission made by the learned counsel appearing for the Appellant may kindly be taken on record and the instant IA may be allowed.

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

After careful consideration of the submissions made by the learned 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 *bona fide* in nature. We accept the reasoning assigned in the application and delay in filing the appeal is condoned. IA is allowed.

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Registry is directed to number the appeal and list the matter for admission on **24.09.2018**, as requested.

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

(Justice N.K. Patil)
Judicial Member