

**COURT-II**

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

**IA NO. 1379 OF 2018 IN  
DFR NO. 3677OF 2018**

**Dated: 30<sup>th</sup> November, 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 Matrix Green Energy Pvt. Ltd. ....Appellant(s)  
Versus  
Karnataka Electricity Regulatory Commission & Ors. ....Respondent(s)**

Counsel for the Petitioner(s) : Mr. S.Venkatesh,  
Mr. Sandeep Rajpurohit

Counsel for the Respondent(s) : Mr. Balaj Srinivasan  
Mr. Siddhant Kohli  
Mr.Mayank Kshrisagar for R-2

**ORDER**

**IA NO. 1379 of 2018  
(Appl. for Condonation of Delay in filing the appeal)**

Learned counsel appearing for the Respondent No.2 filed reply on IA No. 1379 of 2018. The same was taken on record.

We have heard learned counsel appearing for the Appellant and learned counsel appearing for the Respondent No. 2. Though other respondents served, unrepresented.

2. The learned counsel, Mr. S.Venkatesh appearing for the Appellant at the outset submitted that the delay of 216 days in filing the Appeal has been explained satisfactorily and sufficient cause has been shown in the application in Para Nos. 3.2 to 3.9 and further he submitted that similar matter arising out of the same impugned order in delay in filing the appeal is admitted and posted for hearing on 06.12.2018. The same may kindly be accepted and delay in filing may kindly be condoned in the interest of justice and equity and the matter may be heard on merits.

3. **Per contra**, learned counsel Mr. Balaji Srinivasan appearing for the Respondent No. 2 inter-alia contended and submitted that the delay in filing appeal is not explained satisfactorily and sufficient cause has not been made in the application.

However, he has not disputed the similar matter arising out of the same impugned order and delay in filing the appeal is condoned and posted for hearing. Hence, an appropriate order may kindly be passed.

4. Submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the Respondent No. 2, as stated above, are placed on record.

5. After careful perusal of the application, explaining the delay in filing the appeal in Para Nos. 3.2 to 3.9, we find it satisfactory as sufficient cause has been made out. The same is accepted and the delay in filing the appeal is condoned. The IA, being IA No. 1379 of 2018 is allowed. IA stands disposed of.

**DFR NO. 3677OF 2018**

Registry is directed to number the appeal and post this matter for admission on **04.12.2018**.

Learned counsel appearing for the Respondent No. 2 is permitted to file his reply on or before 04.12.2018 after serving copy on the other side and thereafter, rejoinder, if any, be filed after serving copy on the other side.

**(S.D. Dubey)**  
**Technical Member**  
bn/kt

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