

COURT-I

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

**IA NOS. 245 & 244 OF 2017 IN
DFR NO. 4191 OF 2016**

Dated: 10th April, 2018

**Present: Hon'ble Mr. I. J. Kapoor, Technical Member
Hon'ble Mr. Justice N. K. Patil, Judicial Member**

In the matter of:

**Maharashtra State Electricity Transmission Co. Ltd. Appellant(s)
Vs.
Maharashtra Electricity Regulatory Commission & Ors. Respondent(s)**

Counsel for the Appellant(s) : Mr. M. Y. Deshmukh

Counsel for the Respondent(s) : Mr. Anand K. Ganesan for R-2

Ms. Rimali Batra

Ms. Nikita Chouske for R-3

ORDER

**IA NO. 245 OF 2017
(Appl. for condonation of delay in re-filing)**

There is 68 days' delay in re-filing this appeal. In this application, the Applicant/Appellant has prayed that delay in re-filing may be condoned.

We have heard learned counsel for the Appellant and perused the explanation offered for the delay in re-filing the appeal. We find the explanation to be acceptable. Sufficient cause has been made out. Hence, delay in re-filing the appeal is condoned. Application is disposed of.

IA NO. 244 OF 2017
(Appl. for condonation of delay)

There is 195 days' delay in filing this appeal. In this application, the Applicant/Appellant has prayed that delay in filing the appeal may be condoned.

The Respondents have been served. Mr. Anand K. Ganesan appears on behalf of Respondent No.2 and Ms. Nikita Choukse appears on behalf of Respondent No.3.

We have heard learned counsel for the Appellant and perused the explanation offered for the delay in filing the appeal. Learned counsel for the Appellant states that after receiving the impugned order by the appellant company, the same was forwarded to different departments of the appellant company and it was under consideration. In the meanwhile, in the month of June, 2016 Respondent No.2 herein has filed an appeal before this Tribunal. While preparing counter affidavit to the said appeal, the Chief Legal Advisor of the Appellant company held a meeting of the concerned officers and a proposal for filing the present appeal has been moved. The said proposal was approved by the concerned officers of the appellant company. Thereafter, the entire papers were sent to the Advocate for preparation of appeal and appeal has been prepared and filed before this Tribunal on 21.12.2016. That is how the delay is caused.

Learned counsel for the respondent has strenuously opposed for condonation of delay.

Considering the above explanation offered by the Appellant and having regard to the issues involved in this appeal and keeping in mind that the connected matter has already been admitted, we are of the opinion that in the interest of justice delay needs to be condoned. Accordingly, the delay in filing the appeal is condoned. The Application is disposed of.

Registry is directed to number the appeal and list the matter for admission on **24.04.2018**.

(Justice N. K. Patil)
Judicial Member

ts/mk

(I.J. Kapoor)
Technical Member