

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

**IA NOS. 852 OF 2018 IN**  
**DFR NO. 1584 OF 2018**

**Dated: 6<sup>th</sup> August, 2018**

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

**In the matter of:**

**D.B. Power Ltd.**

... **Appellant(s)**

**Vs.**

**Central Electricity Regulatory Commission & Ors.**

... **Respondent(s)**

Counsel for the Appellant (s) : Mr. Deepak Khurana

Counsel for the Respondent (s) : Mr. S. Vallinayagam  
Ms. S. Amali for R-2

Mr. M.G. Ramachandran for R-3

**ORDER**

**IA NO. 852 of 2018**

***(Appl. for Condonation of Delay in filing)***

The learned counsel, Mr. S. Vallinayagam appeared on behalf of Respondent No.2 and the learned counsel, Mr. M.G. Ramachandran appeared on behalf of Respondent No.3. Other respondents served unrepresented.

We have heard learned counsel appearing for the Appellant and learned counsel appearing for the Respondent No.2 & 3.

The learned counsel, appearing for the Appellant submitted that the delay of 90 days in filing the Appeal has been explained satisfactorily and sufficient cause has been shown in the application. The same may

kindly be accepted and delay in filing may kindly be condoned in the interest of justice and equity.

***Per contra***, learned counsel appearing for the Respondents inter alia contended that in the light of the statement made in the application, appropriate order may be passed.

Submissions made by the learned counsel appearing for the Appellant and Respondent Nos. 2 & 3 as stated above, are placed on record.

In the light of the submission made by the learned counsel appearing for the Appellant and after careful perusal of the application explaining the delay in filing the appeal, 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 is allowed.

**DFR No. 1584 OF 2018**

Registry is directed to number the appeal and list the matter for admission on **13.08.2018**.

**(S.D. Dubey)**  
**Technical Member**  
*Bn/pr*

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