

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

IA NO. 501 OF 2018 IN
DFR NO. 1199 OF 2018

Dated: 07th August, 2018

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

In the matter of:

Mangalam Cement Ltd.

... **Appellant(s)**

Vs.

Jaipur Vidyut Vitran Nigam Limited & Anr.

... **Respondent(s)**

Counsel for the Appellant (s) : Mr. P.N. Bhandari

Counsel for the Respondent(s) : Mr. S.K. Agarwal
Dr. A.P. Sinha
Ms. Devanshi Kaushik for R-1

Mr. R.K. Mehta
Ms. Himanshi Andley for R-2

ORDER

IA No. 501 of 2018 - For Condonation of Delay in Filing the Appeal)

We have heard the learned counsel, Mr. P.N. Bhandari, appearing for the Appellant, the learned counsel, Mr. S.K. Agarwal, appearing for the first Respondent and the learned counsel, Mr. R.K. Mehta, appearing for the second Respondent.

The learned counsel appearing for the Appellant submitted that, there is a delay of 144 days in filing the Appeal. Further, he pointed out and submitted that, the delay has been explained satisfactorily and sufficient cause has been shown in the application and also in the additional affidavit. The same may kindly be accepted and delay in filing the Appeal may kindly be condoned and the instant application may kindly be allowed in the interest of justice and equity.

Per-contra, the learned counsel appearing for the Respondents, inter-alia, contended and submitted that, in the light of the submission made by the learned counsel appearing for the Appellant and the statement made in the application

and additional affidavit, an appropriate order may be passed to meet the ends of justice.

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

In the light of the submissions made by the learned counsel appearing for the Appellant and the Respondents, and after careful perusal of the reasoning given by the Appellant in his application as well as statement made in the additional affidavit, the Appellant has explained the delay satisfactorily in the application and sufficient cases has been shown. The same was accepted and the delay in filing the Appeal is condoned. IA is allowed.

DFR NO. 1199 OF 2018

Registry is directed to number the appeal and list the matter for admission on **12.09.2018**, as agreed by the learned counsel appearing for the Appellant and the Respondents.

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

vt/js