

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

IA NOS. 907 & 908 OF 2018 IN
DFR NO. 2466 OF 2018

Dated: 08th August, 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 Bhuruka Gases Limited & Anr.

.... Appellant(s)

Versus

Karnataka Electricity Regulatory Commission & Ors.

.... Respondent(s)

Counsel for the Appellant(s) : Mr. Parinay Deep Shah
Ms. Ritika Singhal

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

ORDER

IA NO. 907 OF 2018

(Leave to file Appeal)

We have heard the learned counsel, Mr. Parinay Deep Shah, appearing for the Appellant and the learned counsel, Mr. Balaji Srinivasan, appearing for the Respondent No. 2. Other Respondents, though served, unrepresented.

The learned counsel appearing for the Appellant submitted that, in the light of the statement made in the application, the same may kindly be accepted and IA may kindly be allowed and leave to file the appeal may kindly be granted.

The submission made by the learned counsel appearing for the Appellant, as stated above, is placed on record.

In the light of the submissions made by the learned counsel appearing for the Appellant and the Respondent and after perusal of the statement made in the application, the same is accepted. IA is allowed. Application for leave to file the Appeal is granted and stands disposed of.

IA No. 908 OF 2018
(For Condonation of Delay in Filing the Appeal)

We have heard the learned counsel, Mr. Parinay Deep Shah, appearing for the Appellant and the learned counsel, Mr. Balaji Srinivasan, appearing for the Respondent No. 2. Other Respondents, though served, unrepresented.

The learned counsel appearing for the Appellant submitted that, there is a delay of 130 days' in filing the Appeal. Further, he pointed out and submitted that, in the light of the submissions made and the reasoning given in the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. 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 Respondent No. 2, inter alia contended that, the submission made by the learned counsel appearing for the Appellant may kindly be taken on record and appropriate order may be passed in the interest of justice and equity.

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

In the light of the submissions made by the learned counsel appearing for the Appellant and after perusal of the reasoning given in the application explaining the delay in filing the Appeal, we find it satisfactory as sufficient cause has been shown in the application. The same is accepted and the delay in filing the Appeal is condoned. IA is allowed.

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Learned counsel, Shri Balaji Srinivasan accepts notice on behalf of Respondent Nos. 3 & 4.

Submissions made by the learned counsel appearing for the Respondent Nos.2 to 4, as stated above, are placed on record.

Registry is directed to number the appeal and list the matter for admission on **13.08.2018** ,as requested and agreed by the learned counsel appearing for the Appellant and the Respondents.

(S. D. Dubey)
Technical Member

Bn/pr

(Justice N. K. Patil)
Judicial Member