

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

IA NO. 1625 OF 2018 IN
DFR NO. 3733 OF 2018

Dated: 17th December, 2018

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. Ravindra Kumar Verma, Technical Member

In the matter of:

Ajmer vidyut Vitaran Nigam Limited & Ors. Appellant(s)
Versus
Gurha Thermal Power Company Limited & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Mr. Sanjay Sen, Sr. Adv.
Ms. Roohina Dua
Mr. Cheitanya Madan
Mr. Kaushik Saha for R-1 to R-3

Mr. R.K. Mehta
Ms. Himanshi Andley for R-5

ORDER
(IA No. 1625 of 2018 – for delay in filing)

We have heard the learned counsel appearing for the Appellant and the learned senior counsel appearing for the Respondents.

The learned counsel appearing for the Appellant submitted that, there is a delay of 220 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.

The learned senior counsel appearing for the Respondents submitted that, the submission made by the learned counsel appearing for the Appellant may kindly be taken on record and the instant IA may be allowed.

Submissions made by the learned counsel appearing for the Appellant and the learned senior 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 after perusal of the reasoning given in the application explaining the delay in filing the Appeal, the Appellant has explained the delay satisfactorily in the application and sufficient cause has been shown. The same is accepted and the delay in filing the Appeal is condoned. IA is allowed.

Registry is directed to number the appeal and list the matter on **19.12.2018 at 2.30 p.m** before the Bench presided over by Hon'ble Mr. Justice N.K. Patil consisting of Hon'ble Mr. Justice N.K. Patil and Hon'ble Shri S.D. Dubey, Technical Member before Court – II after obtaining necessary orders from Chairperson, APTEL.

(Ravindra Kumar Verma)
Technical Member
mk/bn

(Justice N.K. Patil)
Judicial Member