

**COURT-I**

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

**IA NOS. 1090, 1089 & 1091 OF 2017 IN  
DFR NO. 3976 OF 2017**

**Dated: 13<sup>th</sup> December, 2017**

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

**In the matter of:**

**Indus Towers Limited**

**.... Appellant(s)**

**Vs.**

**Maharashtra Electricity Regulatory Commission & Anr.**

**.... Respondent(s)**

Counsel for the Appellant(s) : Mr. Sudhir Makkar, Sr. Adv.  
Mr. Raghav Pandey  
Ms. Soumya Gupta

Counsel for the Respondent(s) : Mr. Raunak Jain  
h/f Buddy A. Ranganadhan for R-1

Ms. Nikita Choukse for R-2

**ORDER**

**I.A. No. 1090 of 2017**

***(Appln. for leave to appeal)***

In this application, the Applicant/Appellant has prayed that it may be granted leave to file the instant appeal.

Mr. Raunak Jain appears on behalf of Respondent No.1 and Ms. Nikita Coukse appears on behalf of Respondent No.2.

We have heard learned counsel for the parties. For the reasons stated in the application, without expressing any opinion on the merits of the case, leave to file the instant appeal is granted. Application is disposed of.

**IA NO. 1089 OF 2017**  
*(Appln. for condonation of delay)*

There is 337 days' delay in filing this appeal. In this application, the Applicant/Appellant has prayed that delay may be condoned.

Mr. Raunak Jain appears on behalf of Respondent No.1 and Ms. Nikita Coukse appears on behalf of Respondent No.2.

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

**DFR No. 3976 of 2017**

Registry is directed to number the appeal subject to curing the defects. With the consent of the parties, the appeal is taken on board.

Issue notice. Mr. Raunak Jain takes notice on behalf of Respondent No.1 and Ms. Nikita Choukse takes notice on behalf of Respondent No.2.

We are informed that other appeals being Appeal No. 337 of 2016 and batch of matters involving similar questions have already been admitted by this Tribunal. Therefore, Admit. The interim order passed on 12.09.2017 in Appeal No. 337 of 2016 and batch of matters shall apply to this case also.

List the matter for directions on **31.01.2018**. In the meantime, pleadings, if any, be completed. Tag to Appeal No. 337 of 2016. Dasti of the order be provided to learned counsel for the appellant.

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

**(I.J. Kapoor)**  
**Technical Member**

*ts/tpd*