

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)

IA NO. 1182 OF 2017 IN
DFR NO. 3713 OF 2017

Dated: 27th February, 2018

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

In the matter of:

IND Barath Energy (Utkal) Limited
Vs.

... **Appellant(s)**

Central Electricity Regulatory Commission & Ors.

... **Respondent(s)**

Counsel for the Appellant (s) : Mr. Hemant Singh
Mr. Ananya Mohan

Counsel for the Respondent(s) : Ms. Swapna Seshadri
Ms. Rhea Luthra for R-2

ORDER

**IA-1182 of 2017 (Delay in filing Main Order -710 days &
Review Order – 212 days**

In this application, being IA No. 1182 of 2017, the Appellant has prayed to condone 710 days' delay in filing the main order and 212 days' delay in filing the review order.

The learned counsel appearing for the Appellant submitted that the delay in filing has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be condoned and may be heard on merits.

Per Contra, the learned counsel, Ms. Swapna Seshadri, appearing for the Respondent No. 2, at the outset, submitted that, she does not wish to file any objection to condone the delay. In the light of the reasons stated in the application, the same may kindly be accepted and delay may kindly be condoned.

The submissions made by the learned counsel, appearing for both the parties, as stated above, are placed on record.

We have gone through the grounds taken by the Appellant in the application and after considering the submissions made by the learned counsel appearing for both the parties and the grounds made out by the Appellant that the delay in filing the appeal has been explained satisfactorily, sufficient cause has been shown, the same is accepted and the delay in filing the appeal is condoned. IA being IA No. 1182 of 2017 is allowed in the interest of justice and equity.

DFR-3713 of 2017

Registry is directed to number the appeal and post the matter for admission on **13.03.2018.**

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

ss/kt