

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

IA NO. 57 OF 2018 IN
DFR NO. 4037 OF 2017

Dated: 26th March, 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. Seshasayee Paper and Boards Limited	Appellant(s)
Vs.		
Tamil Nadu Generation and Distribution Corporation Ltd. & Anr.	Respondent(s)

Counsel for the Appellant(s) : Mr. Anand K. Ganesan
Ms. Neha Garg

Counsel for the Respondent(s) : Mr. S.Vallinayagam for R-1
Mr. Sethu Ramalingam for R-2

ORDER

IA No. 57 of 2018
(Appli. For Condonation of delay in filing the appeal)

The learned counsel, Mr. Sethu Ramalingam, accepts notice on behalf of the first Respondent and the learned counsel, Mr. S.Vallinayagam, accepts notice on behalf of the second Respondent.

The learned counsel, Mr. Anand K.Ganesan, appearing for the Appellant submitted additional affidavit explaining the reasons of delay in filing the appeal. The same was taken on record.

The learned counsel, Mr. Anand K.Ganesan, appearing for the Appellant submitted that there is a delay of 59 days in filing the Appeal which has been explained satisfactorily in paragraph 4 to 10 of additional affidavit may kindly be accepted and the delay in filing the appeal may kindly be condoned in the interest of justice and equity.

Submissions 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 going through the reasoning given in the application explaining the delay in filing the appeal in paragraph 4 to 10, we find it satisfactory as sufficient cause has been made out on accompanying affidavit along with application. The same is accepted and the delay in filing the appeal is condoned. IA No. 57 of 2018 for delay in filing the Appeal is allowed. IA is disposed of.

DFR NO. 4037 OF 2017

Admit. Issue notice.

The learned counsel appearing for the first Respondent and the learned counsel appearing for the second Respondent pray for six weeks' time to file their respective replies to the memo of appeal.

The learned counsel appearing for the Appellant prays for three weeks time thereafter, to file his rejoinder to the replies to be filed by the Respondents.

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

The learned counsel appearing for the Respondent Nos. 1 and 2 may file their respective replies on or before 24.04.2018. Thereafter, the learned counsel appearing for the Appellant may file his rejoinder submission on or before 15.05.2018 after duly serving copy on the other side.

Registry is directed to number the appeal and list the matter on **28.05.2018**, as agreed by the learned counsel appearing for both the parties

(S.D. Dubey)
Technical Member

(Justice N.K. Patil)
Judicial Member

Pr/kt