

COURT-I**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)****IA NO.335 of 2017 IN
DFR NO. 1272 of 2017****Dated: 16th May, 2017****Present: Hon'ble Mrs. Justice Ranjana P. Desai, Chairperson
Hon'ble Mr. I.J. Kapoor, Technical Member****In the matter of:****Tata Power Delhi Distribution Limited ... Appellant(s)
Vs.
Jhajjar Power Limited & Ors. ... Respondent(s)**

Counsel for the Appellant(s) : Mr. Alok Shankar

Counsel for the Respondent(s) : Mr. Ramanuj Kumar
Mr. Manpreet Lamba for R-1
Mr. S.Venkatesh
Mr. Varun Singh
Mr. Pratyush Singh
Ms.Natabrata Bhattacharya
Ms. Aditi Mohapatra for R-2**ORDER****IA NO. 335 of 2017
*(Appl. for condonation of delay)***

There is 287 days' delay in filing this appeal. In this application, the applicant/appellant has prayed that delay may be condoned.

We have heard learned counsel for the Appellant. He candidly submitted that the delay is caused because he had requested his colleague to file the appeal and he was under the impression that the appeal had been filed, however the appeal was not filed. Counsel further submitted that considering the nature of the issues involved and

the fact that the other appeals challenging the same order have been admitted by this Tribunal and in the interest of justice delay may be condoned.

Having regard to the fact that the similar matters are admitted by this Tribunal and considering the nature of the issue involved in this appeal, we feel that delay needs to be condoned after saddling the Appellant with costs. Accordingly, the delay is condoned subject to the payment of cost of Rs.10,000/- (Rupees ten thousand only) to a charitable organisation namely, "**DR. SAI DEEP RUHI FOUNDATION, A/CNO. 952663443, A-508, SECTOR 19, NOIDA, 201301**" within two weeks from today.

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Learned counsel for the Appellant undertakes to pay the cost of Rs.10,000/- to a charitable organisation within two weeks from today. Learned counsel for the parties request for taking up the matter for admission today itself. Therefore, with the consent of the parties the matter is taken up for admission. Registry is directed to number the appeal.

We have heard learned counsel for the parties. Admit. Issue notice. Mr. Ramanuj Kumar takes notice on behalf of Respondent No.1 and Mr. Venkatesh takes notice on behalf of Respondent No.2 and they seek four weeks time to file reply. Notice be issued to the other Respondents returnable on 17.07.2017. Dasti, in addition, is permitted.

Learned counsel for the respondents may file reply on or before 14.06.2017 after serving copy on the other side. Thereafter, rejoinder may be filed on or before 30.06.2017 after serving copy on the other side.

List the matter on 17.07.2017 to ascertain whether pleadings are complete. If the cost is not paid within two weeks, this order will be revoked on the next date of hearing.

(I.J. Kapoor)
Technical Member
ts/kt

(Justice Ranjana P. Desai)
Chairperson