

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

IA NO. 1183 & 1184 OF 2018
IN DFR NO. 3131 OF 2018

Dated: 28th September, 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 Matrix Wind Energy Pvt. Ltd.

.... **Petitioner(s)**

Versus

Karnataka Electricity Regulatory Commission & Ors.

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

Counsel for the Petitioner(s) :

Shri Venkatesh
Mr. Sandeep Rajpurohit
Ms. Nishtha Kumar
Mr. Somesh Srivastava
Mr. Vikas Maini

Counsel for the Respondent(s) :

Mr. Balaji Srinivasan
Ms. Pallavi Sengupta for R-2

ORDER

IA NO. 1183 OF 2018 - (*Appl. for leave to file appeal*)

We have heard learned counsel, Shri Venkatesh, appearing for the Appellant. The learned counsel appearing for the Appellant submitted that, in the light of the statement made in paragraph nos. 3 to 4 of the application, the same may kindly be accepted and IA may kindly be allowed and leave to file the appeal may kindly be granted.

The submission made by the learned counsel appearing for the Appellant, as stated above, is placed on record.

In the light of the statement made by the learned counsel appearing for the Appellant in paragraph nos. 3 to 4 of the application and the reasons stated therein, the same is accepted. Accordingly, the IA is allowed.

:2:

ORDER

IA No. 1184 of 2018 - (*Appl. for condonation of delay*)

The learned counsel, Shri Venkatesh appearing for the Appellant, submitted that, there is a delay of 182 days in filing the appeal which has been explained satisfactorily in para 3.1 to 5 of the application and sufficient cause has been shown therein. The delay in filing the appeal is bonafide and unintentional. The delay has been caused due to the circumstances as explained above. Therefore, he submitted that, the delay may kindly be condoned and IA may kindly be allowed. The matter may kindly be heard on merit in the interest of justice and equity.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in the application, we find that the delay has been explained satisfactorily as sufficient cause has been shown and reasoning assigned is bonafide in nature. We accept the reasoning assigned in the application and delay in filing the appeal is condoned. IA is allowed.

DFR No. 3131 OF 2018

Registry is directed to number the appeal and list the matter for admission on **04.10.2018.**

(S.D. Dubey)
Technical Member
mk/pk

(Justice N.K. Patil)
Judicial Member