

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

**IA-164 of 2013 in
DFR-788 of 2013**

Dated : 31st May, 2013

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member**

Hindustan Petroleum Corporation Ltd. ... Appellant(s)

Versus

Kerala Electricity Regulatory Commission & Anr. ... Respondent(s)

Counsel for the Appellant(s) : Mr. Anand K. Ganesan
Ms. Swapna Seshadri

Counsel for the Respondent(s): Mr. Ramesh Babu for R.1
Mr. M.T. George
Mr. Kavitha K.T. for R.2

ORDER

**IA-164 of 2013
*(Appl. for condonation of delay)***

This is an Application to condone the delay of 215 days in filing the Appeal as against the main Order dated 25.07.2012.

It is noticed that after the main Order had been passed, the Applicant had filed the Writ Petition before the High Court and the same was disposed of on 13.12.2012. Thereafter, he filed the Appeal before this Tribunal on 12.04.2013. So, for the delay between 13.12.2012 and 12.04.2013, there is no proper explanation.

Therefore, the Application to condone the delay is dismissed. Consequently, the Appeal is also rejected. However, this would not prevent the Applicant to raise the point before the Commission for re-categorisation of tariff determination in the future proceedings.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vt