

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

**Appeal No. 142 of 2010 &
IA Nos. 191 & 192 of 2010**

Dated: 31st August, 2010

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

Binani Zinc Limited	... Appellant (s)
Versus	
Kerala State Electricity Board & Ors.	... Respondent (s)

Counsel for the Appellant(s): Mr. Amarjit Singh Bedi & Mr. Joginder Tokas

Counsel for the Respondent(s): Mr. Ramesh Babu for R.2

ORDER

**IA No. 191 of 2010
(Condone Delay Application)**

This is an Application to condone the delay of 34 days in filing the Appeal as against the Order passed by the Commission on 08.03.2010.

The explanation given in the affidavit as well as in the supplementary affidavit is that they got the Order copy on 10.03.2010 and they went to the Hon'ble Supreme Court on the ground that the remand Order has not been complied with by the Commission properly and ultimately the SLP filed before the Hon'ble Supreme Court has been withdrawn on 30.04.2010 with a liberty to approach this Tribunal. Accordingly, after the withdrawal of the papers, the Appeal has been filed in this Tribunal on 28.05.2010, that is how the delay was caused.

We have heard the learned counsel for the Respondents.

Since we find sufficient cause to condone the delay, the delay is condoned. The Application is disposed of.

Post the matter for Admission on **07.09.2010.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vn