Before the Appellate Tribunal for Electricity

(Appellate Jurisdiction)

I.A. No. 165 of 2011 in DFR No. 925 of 2011

Dated: 19th -August, 2011

Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson

Hon'ble Mr. V.J. Talwar, Technical Member

M.P. Power Generating Company Limited

... Appellant(s)

Versus

M.P.E.R.C. & Ors.

....Respondent(s)

Counsel for the Appellant(s): Mr. M.G. Ramachandran, Ms. Swapna Seshadri &

Ms. Sneha Venkataramani

ORDER

I.A. No. 165 of 2011

(Condone delay Application)

This is an application to condone the delay of 150 days in filing the Appeal as against the Order dated 24.01.2011 passed by the Madhya Pradesh State Commission. It is submitted that the notice has been served on all the Respondents and to that effect affidavit of service has also been filed.

On going through the affidavit, it is clear that there is no satisfactory explanation for the delay caused. However, the learned counsel for the Petitioner/Appellant submits that there is default on the part of the Petitioner/Appellant in filing the Appeal in time, therefore suitable costs may be imposed upon.

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Accordingly, the learned counsel for the Petitioner/Appellant is directed to pay the cost of Rs.1,00,000/- (Rupees one lakh) to a charitable organization, namely, "Dr. Ruhi Foundation School, Village: Gheja, Sector – 93, NOIDA - (A/C (Trust) – payable to 'SAIDEEP DR. RUHI FOUNDATION, A/C No. 952663443'" on or

Post the matter for reporting compliance and for Admission on **23.09.2011.**

(V.J. Talwar) Technical Member

before 20.09.2011.

(Justice M. KarpagaVinayagam) Chairperson

TS/KS