

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

**IA No. 413 of 2012 in  
DFR No. 2232 of 2013**

**Dated: 18<sup>th</sup> January, 2013**

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

**Uttrakhand Power Corporation Ltd. ...Appellant (s)**

**Versus**

**M/s. R.V. Akash Ganga Infrastructure Ltd. & Anr. ...Respondent(s)**

Counsel for the Appellant(s) : Mr. Pradeep Misra  
Mr. Daleep Kumar Dhayanai  
Counsel for the Respondent(s): Mr. Shwetank Sailakwal for R.1  
Mr. Buddy A. Ranganadhan  
Ms. Richa Bharadwaja for R.1

**ORDER**

This is an Application to condone the delay of 241 days in filing the Appeal as against the main Order dated 14.02.2012.

The reason for the delay mentioned in the affidavit to condone the delay is that as against the main Order dated 14.02.2012, the Appellant filed a Review before the Commission on 25.04.2012 and the same had been dismissed on 06.09.2012, and thereafter, they prepared the Appeal and filed the same before this Tribunal on 27.11.2012, that is how the delay was caused.

The learned counsel appearing for the Respondents vehemently opposed the Application on the ground that the

number of days delay calculated by the Applicant/Appellant as mentioned in the affidavit is wrong and without showing sufficient cause they filed the review raising the grounds which could be raised only in the Appeal.

We have heard the learned counsel for the parties and also gone through the affidavit and reply.

While we find force in the objection raised by the learned counsel for the Respondent, stating that the reasons for the delay are not satisfactory, we deem it appropriate to condone the delay on payment of cost of Rs.15,000/- (rupees fifteen thousand only) to a charitable organization, namely, ***“National Association for the Blind, Delhi State Branch, Sector -5, R.K. Puram, New Delhi – 110 022”*** within three weeks.

The Registry is directed to number the Appeal after getting the intimation about the compliance of this Order and post for Admission on **19.02.2013**. The Registry is further directed to send a copy of this Order to the above charitable organization.

**( Rakesh Nath )**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**

**Ts/sm**