

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

**I.A. No. 398 of 2013 in
DFR No. 2391 of 2013**

Dated : 7th January, 2014

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

In the matter of

**M/s SESA Sterlite Ltd. ...Appellant (s)
Versus.
Orissa Electricity Regulatory Commission & Anr. ...Respondent(s)**

**Counsel for the Appellant(s) : Mr. Amit Kapur
Ms. Poonam Verma
Mr. Rohit Venkat**

**Counsel for the Respondent(s) : Mr. Rutwik Panda for R-1
Mr. Raj Kumar Mehta
Mr. Antaryami Upadhyay
Ms. Ishita C.Das Gupta for R-2**

ORDER

**I.A. No. 398 of 2013
(Appl. for condonation of delay)**

This is an Application to condone the delay of 87 days in filing the Appeal as against the main Order dated 12.06.2013. It is submitted that after the main Order, a Review has been filed on 22.07.2013 and the same has been disposed of on 25.09.2013 and after obtaining the Certified copy, the Appeal has been filed on 28.10.2013 and that was how, the delay is caused.

This Application is opposed by the learned counsel for the Respondent stating that proper explanation has not been given for the delay caused after getting the review order.

However, we deem it appropriate to condone the delay on payment of some costs. Accordingly, the learned counsel for the Applicant is directed to pay the cost of Rs.20,000/- (Rupees twenty thousand only) to a charitable organisation, namely, "**Dr. Ruhi Foundation School, Village: Gheja, Sector 93, NOIDA, A/c (TRUST):- Payable to : SAIDEEP DR. RUHI FOUNDATION, A/c No. 95266 3443**" on or before 13.01.2014.

After receiving the compliance report, the Registry is directed to number the Appeal and post for Admission on **17.01.2014**.

(Rakesh Nath)
Technical Member
ts/kt

(JusticeM. Karpaga Vinayagam)
Chairperson