

COURT - I

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

**I.A. No. 291 of 2011 in
D.F.R. No. 111 OF 2011**

Dated : 13th January, 2012

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

In the matter of:

**Aruppukottai Shri Ramalinga Spinners Pvt. Ltd.Appellant (s)
Versus**

Tamil Nadu Electricity Board & Anr. ... Respondent (s)

Counsel for the Appellant (s) : Mr. T.R.B. Sivakumar
Counsel for the Respondent(s): Mr. V. Senthil Kumar for
Mr. Vallinayagam

ORDER

**I.A. No. 291 of 2011
*(Condone delay Application)***

This is an Application to condone the delay of 89 days in filing the Appeal as against the impugned Order dated 07.09.2010.

It is noticed that even though the Appeal has been filed on 19.01.2011, the Application to condone the delay as well as the Appeal were posted before this Tribunal only on 13.12.2011. We have asked for explanation from the learned counsel for the said delay.

It is now contended by the learned counsel for the Appellant that the Appeal papers were returned notifying some defects on 27.01.2011 and after rectifying the defects, the papers were represented on 22.11.2011 and the said delay was caused due to the shifting of his office from one place to another place. We feel that the delay of 89 days in filing the Appeal as well as the huge delay in representation have not been properly explained.

However, it is noticed that the impugned Order has already been set aside by this Tribunal in Appeal No. 23 of 2011 and the matter was remanded for fresh consideration with reference to the date on which the Order shall come into effect.

Therefore, we condone the delay of 89 days in filing the Appeal as against the impugned Order dated 07.09.2010. Accordingly, the I.A. is disposed of. The Registry is directed to number the Appeal and post for Admission on **17.01.2012.**

(Rakesh Nath)
Technical Member

(Justice M. KarpagaVinayagam)
Chairperson

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