

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA No.166 of 2012 in
D.F.R. No. 590 of 2012

Dated :9th July, 2012

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

The Bihar Electricity Board

.... Appellant (s)

Versus

Bihar Electricity Regulatory Commission & Ors. ...Respondent (s)

Counsel for the Appellant(s):	Mr. Mohit Kr. Shah & Ms. Shilpi Shah
Counsel for the Respondent(s):	Mr. Suraj Sandarshi Mr. Swapna Seshadri for R.2 to R.4

ORDER

IA No.166 of 2012
(Condone delay Appl.)

This is an Application to condone the delay of 305 days in filing the Appeal as against the main Order dated 01.6.2011.

The ground for condonation of delay is the pendency of the Review Petition before the State Commission.

It is stated that the impugned Order had been passed on 01.06.2011 and the Review Petition had been filed on 02.08.2011 and the same had been disposed of on 22.12.2011, in this process, there was a delay of 264 days.

After 47 days therefrom, this Appeal has been filed on 23.03.2012. Even though the reason for the delay is mainly pendency of the Review before the Commission, proper reasons have not been given for 47 days delay in filing the Appeal after the disposal of the Review, in spite of the fact that the Review Order had been passed as early as on 22.12.2011.

Therefore, we deem it appropriate to condone the delay in filing the Appeal by imposing the cost of Rs.10,000/- (Rupees ten thousand only) to be paid to a charitable organization, namely, **“National Association for the Blind, Delhi State Branch, Sector – 5, R.K. Puram, New Delhi – 110 022”** within two weeks. Accordingly, the delay is condoned.

The Registry is directed to number the Appeal after getting the intimation about the compliance of this Order and post for Admission on **26.07.2012.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vs