

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

IA-161 of 2013 In DFR-911 of 2013

Dated : 10th July, 2013

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

**Jaipur Vidyut Vitran Nigam Ltd. & Ors. ... Appellant(s)
Versus
Rajasthan Electricity Regulatory
Commission & Anr. ... Respondent(s)**

Counsel for the Appellant (s) : Mr. P.N. Bhandari

**Counsel for the Respondent (s): Mr. C.K. Rai for R.1
Mr. Arvind Kr. Singh for R.2**

ORDER

**IA. No. 161 of 2013
(Appl. for condonation of delay)**

This is an Application to condone the delay of 200 days in filing the Appeal as against the Order dated 17.08.2012.

This Application is stoutly opposed by the learned counsel for the Respondent.

We have heard the learned counsel for the Appellant as well as the learned counsel for the Commission also.

It is noticed that after the main Order that was passed on 17.08.2012, the Applicant/Appellant chose to file the Review on 26.09.2012 before the State Commission. But it is pointed out that the

Review Application had been disposed of only on 08.04.2013. Thereafter, they filed the Appeal on 30.04.2013 before this Tribunal and that was how the delay was caused.

Though there is a serious objection on the part of the Respondent No.2, we are inclined to condone the delay on the reason that the delay was caused mainly due to the pendency of the Review Petition before the State Commission. Accordingly, the delay of 200 days is condoned.

Before parting with this case, we are inclined to give a direction to the State Commission to frame appropriate Regulations mentioning the period within which the Review Petitions have to be disposed of, so that the party may file an Appeal before this Tribunal without any delay. Accordingly directed. After framing such Regulations, the State Commission will intimate the same to this Tribunal.

With the above observations, the Application is allowed.

The Registry is directed to number the Appeal and post the matter for Admission on **14.08.2013**.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/vt