

COURT-I

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

**IA No. 173 & 174 of 2014 in
DFR No. 362 of 2014**

Dated : 16th July, 2014

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

In the matter of

M/s Hi-Tech Industries ... Appellant(s)

Versus

**Himachal Pradesh Electricity Regulatory ... Respondent(s)
Commission & Anr.**

**Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
Ms. Kanaljit Kaur**

**Counsel for the Respondent(s) : Mr. Anand K. Ganesan
Ms. Swapna Seshadri for R.2**

**IA No. 176 & 177 of 2014 in
DFR No. 357 of 2014**

In the matter of

M/s Suraj Fabrics Industries Ltd. ... Appellant(s)

Versus

**Himachal Pradesh Electricity Regulatory ... Respondent(s)
Commission & Anr.**

**Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
Ms. Kanaljit Kaur**

**Counsel for the Respondent(s) : Mr. Anand K. Ganesan
Ms. Swapna Seshadri for R.2**

**IA No. 178 & 179 of 2014 in
DFR No. 361 of 2014**

In the matter of

M/s Asian Concerts and Cement Pvt. Ltd. ... Appellant(s)
Versus
Himachal Pradesh Electricity Regulatory Commission & Anr. Respondent(s)

**Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
 Ms. Kanaljit Kaur**

**Counsel for the Respondent(s) : Mr. Anand K. Ganesan
 Ms. Swapna Seshadri for R.2**

IA No. 180 & 181 of 2014 in
DFR No. 358 of 2014

In the matter of

M/s Parvati Steel & Alloys ... Appellant(s)
Versus
Himachal Pradesh Electricity Regulatory Commission & Anr. Respondent(s)

**Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
 Ms. Kanaljit Kaur**

**Counsel for the Respondent(s) : Mr. Anand K. Ganesan
 Ms. Swapna Seshadri for R.2**

IA No. 182 & 183 of 2014 in
DFR No. 621 of 2014

In the matter of

M/s Akron India Pvt. Ltd. ... Appellant(s)
Versus
Himachal Pradesh Electricity Regulatory Commission & Anr. Respondent(s)

**Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
 Ms. Kanaljit Kaur**

Counsel for the Respondent(s) : Mr. Anand K. Ganesan

Ms. Swapna Seshadri for R.2

IA No. 184 & 185 of 2014 in
DFR No. 359 of 2014

In the matter of

M/s SPS Steel Rolling Mills Ltd. ... Appellant(s)
Versus
Himachal Pradesh Electricity Regulatory Respondent(s)
Commission & Anr.

Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
Ms. Kanaljit Kaur

Counsel for the Respondent(s) : Mr. Anand K. Ganesan
Ms. Swapna Seshadri for R.2

IA No. 186 & 187 of 2014 in
DFR No. 360 of 2014

In the matter of

M/s Him Chemicals Ltd. ... Appellant(s)
Versus
Himachal Pradesh Electricity Regulatory Respondent(s)
Commission & Anr.

Counsel for the Appellant(s) : Mr. Raj Kumar Mehta
Ms. Kanaljit Kaur

Counsel for the Respondent(s) : Mr. Anand K. Ganesan
Ms. Swapna Seshadri for R.2

ORDER

These Six Applications have been filed to condone the delay in filing the Six separate Appeals as against the impugned Order dated 02.05.2011 as well as in re-filing the Appeals after curing the defects.

The explanation offered by the learned counsel for the Applicants in their Applications is that the delay in filing the Appeal was due to the pendency of the Writ Petition before the Himachal Pradesh High Court up to 11.11.2013, on which day, the Writ Petitions were disposed of giving liberty to the Applicant/Appellant to file the Appeal. Thereafter, the Applicants received the copy of the Order on 10.01.2014 and they filed the Appeals before this Tribunal on 05.02.2014 in all these matters along with Applications to condone the delay in filing. The Registry found some defects and issued defect notice to the Applicants after curing the defects the Applicants/Appellants has re-filed the Appeal with some delay. Therefore they filed the Applications to condone the delay of re-filing also.

We have heard the learned counsel for both the parties.

Though it is opposed by the learned counsel for the Respondent by filing a reply contending that the explanation did not show sufficient cause, we deem it appropriate to condone the delay on payment of costs especially when the long delay was caused due to the pendency of the writ petition before the High Court.

Therefore, the Applicants are directed to pay the cost of Rs.50,000/- (Rupees fifty thousand only) in each of the Appeals to a charitable organization, namely "**SAI DEEP Dr. Ruhi Foundation, A/c No. 95266 3443, A- 508, Sector 19, Noida – 201301**" within two weeks.

After receiving the compliance report, the Registry is directed to number these Appeals and post for Admission on **07.08.2014.**

(Rakesh Nath)
Technical Member
ts/kt

(Justice M. Karpaga Vinayagam)
Chairperson