

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA No. 48 of 2013 in
DFR No. 48 of 2013

Dated : 11th March, 2013

Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. V.J. Talwar, Technical Member

M/s Dharma Port Company Ltd.

... Appellant(s)

Versus

**Odisha Electricity Regulatory
Commission & Anr.**

....Respondent(s)

Counsel for the Appellant(s) : Mr. R.M. Patnaik
Mr. P.P. Mohanty

Counsel for the Respondent(s): Mr. Rutwik Panda for R.1

ORDER

IA No. 48 of 2013
(Appl. for condonation of delay)

Notice has already been issued in the Application for condonation of delay.

It is seen that the Order passed by the Grievance Redressal Forum has already been stayed by the High Court of Orissa, Cuttack, and on that reason the Application filed under Section 142 of the Act has been rejected by the State Commission.

In view of the reason given by the State Commission in rejecting the Application filed under Section 142 of the Act, we entertain a doubt with regard to the maintainability of the Appeal.

However, the learned Proxy counsel appearing for the Applicant/Appellant seeks some time to get instructions in the matter.

Post the matter on **04.04.2013.**

(V.J. Talwar)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/pg