

COURT-II
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

IA NO. 40 OF 2019 IN
DFR NO. 3542 OF 2018

Dated: 13th March, 2019

Present: Hon'ble Mr. Justice N.K. Patil, Judicial Member
Hon'ble Mr. Ravindra Kumar Verma, Technical Member

In the matter of:

Hindustan Petroleum Corporation Limited **Appellant(s)**

Vs.

Karnataka Electricity Regulatory Commission & Anr. **Respondent(s)**

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

Counsel for the Respondent(s) : -

ORDER

The learned counsel appearing for the Appellant at the outset submitted that the Respondent Nos. 1 and 2 have been served, though are unrepresented today once again. This Tribunal vide order dated 28.02.2019 afforded another opportunity to the Respondents to enable them to appear before this Tribunal either personally or through a counsel in the interest of justice and equity for considering the condonation of delay in filing the Appeal. The learned counsel appearing for the Appellant submitted that the Respondents have not been diligent to prosecute the case, hence, the delay may be condoned.

The learned counsel appearing for the Appellant submitted that, there is a delay of 83 days in filing the Appeal. Further, he pointed out and submitted that, in the light of the submissions made and the reasoning given at paragraphs 2 to 13 of the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing the Appeal may kindly be

condoned and the instant application may kindly be allowed in the interest of justice and equity.

Submissions made by the learned counsel appearing for the Appellant, as stated above, are placed on record.

In the light of the submissions made by the learned counsel appearing for the Appellant and after perusal of the reasoning given in the application explaining the delay in filing the Appeal, the Appellant has explained the delay satisfactorily in the application and sufficient cause has been shown. The same was accepted and the delay in filing the Appeal is condoned. IA is allowed.

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Registry is directed to number the appeal and list the matter for admission on **15.03.2019**.

(Ravindra Kumar Verma)
Technical Member

mk/bn

(Justice N.K. Patil)
Judicial Member