

COURT – I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA No.74 of 2012 in
DFR No. 153 of 2012

Dated: 20th March , 2012

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

Shree Durga Woollen Finishers & Ors. ... Appellant(s)

Versus

Haryana Electricity Regulatory Commission ...Respondent(s)

& Ors.

Counsel for the Appellant(s): Mr. Deepak Sharma &
Mr. Sanjeev Narula

ORDER

IA No.74 of 2012
(Condone delay Appl.)

In pursuance of the notice issued, it is reported that all the Respondents have been served and to this effect, affidavit of service has also been filed.

This is an Application to condone the delay of 60 days in filing the Appeal as against the main Order dated 13.09.2010 and the clarification Order dated 04.10.2010. It is quite unfortunate to notice that instead of challenging the tariff Order before this Tribunal, the Applicant has chosen to file the Writ Petition before

the Punjab & Haryana High Court, which in turn directed them to approach this Tribunal, that is how the delay was caused. Even though, approaching a wrong forum may not be a reason for condoning the delay, we deem it appropriate to condone the delay because the High Court suggested that this Appeal could be entertained after condoning the delay. Therefore, the delay of 60 days in filing the Appeal is condoned. Registry is directed to number the Appeal and post for Admission on **21.03.2012**.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/mk