

Court-I

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

**IA-106/14
IA-107/14 in
D.F.R. No. 2995 of 2013**

Dated : 14th March, 2014

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

Rasna Marketing Services LLP ... Appellant(s)

Versus

**Gujarat Electricity Regulatory
Commission & Ors. ... Respondent(s)**

**Counsel for the Appellant (s) : Mr. Sumesh Dhawan
Ms. Vatsala Kak**

**Counsel for the Respondent (s): Mr. M.G. Ramachandran
Ms. Swapna Seshadri for R-2 & R-3**

ORDER

IA No. 107 of 2014
(Appl. for condonation of delay)

This is an Application to condone the delay of 178 days in filing the Appeal as against the main Order dated 10.05.2013. It is submitted by the learned counsel for the Applicant that after the main Order was passed by the State Commission, they filed the review, which was ultimately dismissed on 25.10.2013. The Applicant was under the impression that he would file an Appeal as against the Review Order.

Accordingly, he filed the Appeal on 30.12.2013. On realizing the difficulty in maintaining the Appeal, the Applicant has now filed the Application for amendment of the Appeal to the effect that he would confine himself to challenge the impugned Order dated 10.05.2013 only and accordingly filed the Application to condone the delay as against the main Order dated 10.05.2013.

The reply has been filed by the other party opposing the Application for condonation of delay. As correctly pointed out by the learned counsel for the Applicant, the main objections raised by the Respondents are with regard to the merits of the matter. Therefore, we think it fit to condone the delay of 178 days in filing the Appeal against the Main Order dated 10.5.2013.

Accordingly, the Application is disposed of.

The Registry is directed to number the Appeal and post the matter for Admission on **24.03.2014** along with I.A. No. 106 of 2014 for Amendment.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/kt