

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

DFR No. 742 of 2013

Dated : 27th May, 2013

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

In the matter of:

Arun Kumar Datta

....Appellant(s)

Versus

Delhi Electricity Regulatory Commission & Anr.

...Respondent (s)

Counsel for the Appellant (s):

Ms. Swapna Seshadri
Mr. Anand Kr. Ganesan
Mr. Arun Kumar Datta

ORDER

As directed by this Tribunal, an affidavit has been filed by the Applicant through Amicus Curiae counsel stating that for the delay in filing this Appeal, the Applicant is not responsible and on the other hand, the Delhi Commission has not despatched the Order copy in time to the Applicant despite the several reminders sent to the Commission and that was how the delay was caused.

According to the Amicus Curiae counsel appearing for the Applicant there was no delay after the receipt of the said Order despatched by the Commission, and as such, delay was only due to the delayed despatch of the said Order by the Commission.

On going through the affidavit filed by the Applicant, we feel it necessary to call for the remarks from the Commission to give explanation as to how the delay was caused. Accordingly, we direct the Commission to explain the circumstances under which the Commission took time to give the copy of the impugned order to the Applicant.

The Registry is directed to send a copy of the affidavit filed by the Applicant through Amicus Curiae counsel along with this Order immediately so that the Commission would file the remarks for the delayed despatch of the said Order within two weeks i.e., on or before 10.06.2013 for passing further Orders..

Post the matter on **09.07.2013** for passing further Orders.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

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Note: direction to the Registry