

COURT-II
BEFORE THE APPELLATE TRIBUNAL FOR ELECTRICITY
(APPELLATE JURISDICTION)

IA-366 and 367 of 2014 in
DFR 2254 of 2014
(For Leave to file the Appeal and Condonation of Delay)

Dated : **5th November, 2014**

Present: **Hon'ble Mr. Rakesh Nath, Technical Member**
Hon'ble Mr. Justice Surendra Kumar, Judicial Member

In the matter of:

Prime Ispat Ltd. & Anr. ... **Appellant(s)**
Versus
Chhattisgarh State Electricity Regulatory
Commission & Anr. ... **Respondent(s)**

Counsel for the Appellant(s) : Mr. Aashish Anand Bernard

Counsel for the Respondent(s) : Mr. Anand K. Ganesan for R-1

ORDER

IA-366 of 2014 is relating to leave to file the Appeal in respect of Appellant No. 1, who had not participated in the proceedings before the State Commission, though he is affected by the impugned order. IA-366 of 2014 is allowed.

IA-367 of 2014 is relating to condonation of delay of 38 days in filing the Appeal. The impugned order was passed on 12.6.2014. The Appellant, however, came to know about the same on 16.6.2014 and some time was taken for filing the Appeal on 4.9.2014. In this manner, there is a delay of 38 days. We find sufficient reasons mentioned by the learned counsel for the Appellant in filing the delayed application. The delay is condoned and IA-367 of 2014 is allowed.

The Appeal is admitted. Registry is directed to number the Appeal. Sh. Anand K. Ganesan takes notice on behalf of the State Commission. Notice may be issued to the other Respondents. Dasti service is permitted.

Post the matter on **1st December, 2014.**

(Justice Surendra Kumar)
Judicial Member

vt/vg

(Rakesh Nath)
Technical Member