## Before the Appellate Tribunal for Electricity

(Appellate Jurisdiction)

## <u>I A- No. 244 of 2011</u> in D.F.R. No. 1139 of 2011

Dated : 3<sup>rd</sup> November, 2011

Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson Hon'ble Mr. V.J. Talwar, Technical Member

Orissa Power Transmission Corporation Limited	Appellant(s)
Versus	
Orissa Electricity Regulatory Commission & Ors.	Respondent(s)

**Counsel for the Appellant(s):** 

Mr. R.K. Mehta with Mr. Antaryami Upadhyay & Mr. A. David

## **ORDER**

This is an Application to condone the delay of 1820 days in filing the Appeal. It is noticed that this Appeal is filed challenging two Orders, namely 22.07.2006, the date of main Order and 26.04.2011, the date of review Order. It is stated that the reason for the delay is pendency of the Review Petition before the Orissa Commission for the past four years.

While issuing notice to the Respondents in this Application, we deem it appropriate to ask for explanation from the Commission as to why such enormous delay was caused for disposal of the Review Petition through the Order dated 26.04.2011, even though Review Petition had been filed as early as on 17.10.2006.

Issue notice to the Respondents returnable on 08.12.2011 in condonation of delay Application. Dasti service is permitted.

The Orissa Commission is directed to send the explanation as to why the delay was caused in disposing of the Review Petition, so a to reach this Tribunal on or before 05.12.2011.

Post the matter on **<u>08.12.2011.</u>** 

(V.J. Talwar) Technical Member (Justice M. KarpagaVinayagam ) Chairperson

TS/KS