

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

**IA No. 145 of 2011
in DFR 192 of 2011**

Dated : 4th November, 2011

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

**Devbhoomi Dharamshala
Prabhandak Sabha**

....Appellant(s)

Versus

**Uttarakhand Electricity Regulatory
Commission & Anr.**

...Respondent (s)

Counsel for the Appellant (s): Mr. R.N. Bhardwaj

Counsel for the Respondent (s): Mr. Buddy A. Ranganadhan for UERC,
Mr. Pradeep Misra for UPCL

ORDER

(IA-145 of 2011-Condonation of delay application)

This is an application to condone the delay of 295 days in filing the Appeal. It is noticed that the impugned order had been passed on 10th April, 2010. The Appellant approached the Hon'ble High Court of Uttarakhand at Nainital challenging the said order and the said Writ Petition was dismissed on 11th November, 2010 directing the Appellant to seek alternative remedy available to the petitioner by approaching this Appellate Tribunal.

Accordingly, after preparation of the appeal and approval, the appeal has been filed on 31st January, 2011 before this Tribunal. In view of the fact that Writ Petition was pending before the High Court, we find that there is sufficient cause to condone the delay. Accordingly, the delay is condoned.

The Registry is directed to number the Appeal and post the matter for Admission on **9th November, 2011.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

vs/ak