

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

I.A. Nos. 373 of 2013 & 374 of 2013 in
DFR No.2181 of 2013

Dated : 21st November, 2013

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

**M/s. Haryana Power Generation
Corporation Ltd.**

..... Appellant(s)

Versus

**M/s. Haryana Electricity Regulatory
Commission & Ors.**

..... Respondent(s)

Counsel for the Appellant(s)

: Mr. Pradeep Dahiya

ORDER

I.A. Nos. 373 of 2013 & 374 of 2013
(Appls. for condonation of delay)

This is an Application to condone the delay of 147 days in filing the Appeal as against the Order dated 29.03.2013.

According to the learned counsel for the Applicant/Appellant, after the main tariff Order was passed on 29.03.2013, they filed the Review before the State Commission and the same was dismissed on 19.08.2013 and thereafter, the Appeal has been prepared and filed before this Tribunal on 07.10.2013 and that was how the delay was caused.

Despite the service of notice, nobody has represented on behalf of the Respondents. Though there is an explanation with regard to the period from 29.03.2013, the date of the main Order and 19.08.2013, the date of the Review Order, there is no explanation between the period from 19.08.2013, the date of the Review Order, to 07.10.2013, the date of filing the Appeal. Therefore, we deem it fit to condone the delay on payment of some cost.

Accordingly, the Applicant/Appellant is directed to pay the cost of Rs. 25,000/- (Rupees twenty five thousand only) to a charitable organization namely "**Dr. Ruhi Foundation School, Village: Gheja, Sector – 93, NOIDA, A/c. (TRUST) :- Payable to : SAIDEEP DR. RUHI FOUNDATION, A/c No. 95266 3443**" on or before 11.12.2013. Accordingly, the Applications for condonation of delay are disposed of.

After receiving the compliance report, the Registry is directed to number the Appeal and post the matter for Admission on **11.12.2013**.

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson