

COURT-I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA 239 of 2013 & IA 240 of 2013
In DFR 1290 of 2013

Dated : 17th September, 2013

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

Moser Baer Clean Energy Ltd. ... Appellant(s)

Versus

Central Electricity Regulatory Commission Respondent(s)

Counsel for the Appellant(s) : Mr. Vishal Gupta
Mr. Karthik Seth

Counsel for the Respondent(s) : Mr. Nikhil Nayyar for R.1

ORDER

IA. No. 239 of 2013
(Appl. for leave to file the Appeal)

The Application is allowed.

IA No. 240 of 2013
(Appl. for condonation of delay)

As per our directions the explanation has been offered by the Central Commission through the affidavit. It is stated therein that due to unavoidable circumstances the Review was taken up for disposal with some delay. However, it is submitted that in compliance with our directions, now the draft Regulations prescribing the time limit for disposal of Review Petition have been uploaded in the Central Commission's website on 09.09.2013 inviting objections as required by Section 178 (2) of the Electricity Act, 2003 and the time has been

given up to 30.09.2013 and the relevant Regulations will be framed soon.

In view of the explanation, which is being accepted, the Application to condone the delay of 385 days is allowed.

The Registry is directed to number the Appeal and post the matter for Admission on **19.09.2013**.

(V.J. Talwar)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

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