

**COURT-I**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(Appellate Jurisdiction)**

**IA NO. 1111 OF 2019 IN**  
**DFR (RP) NO. 2138 OF 2019 IN**  
**APPEAL NO. 328 OF 2017**

**Dated : 17<sup>th</sup> September, 2019**

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson**  
**Hon'ble Mr. Ravindra Kumar Verma, Technical Member**

**In the matter of:**

**M/s. Omega Infraengineers Pvt. Ltd.**

**...Appellant(s)**

**Vs.**

**Punjab State Electricity Regulatory Commission &  
Ors.**

**...Respondent(s)**

Counsel for the Appellant(s) : Mr Kshitez Kaushik  
Ms. Pallavi Mohan  
Mr. Tavinder Sidhu

Counsel for the Respondent(s) : Mr. Sakesh Kumar  
Ms. Gitanjali N. Sharma for R-1

Mr. Adil Boparai  
Mr. Gurlabh Singh  
Mr. Sunil Choudhary (Rep.) for R-3

Mr. Anand K. Ganesan  
Mr. Ashwin Ramanathan  
Mr. Amal Nair for PSPL

**ORDER**

The present Review Petition is filed with the delay of 69 days and an application being No. 1111 of 2019 is filed for condonation of delay in filing the Review Petition.

Apparently, a Civil Appeal before the Hon'ble Supreme Court of India in Civil Appeal Diary No. 18161 of 2019 came to be filed challenging the impugned order dated 21.02.2019. While preparing the said Appeal filed on 11.05.2019, the Review Petitioner felt that there were certain errors apparent on the face of record. Therefore, the present Review Petition came to be filed under Section 120 (2) (f) of the Electricity Act of 2003. The Review Petitioner also undertakes to make appropriate statement before the Hon'ble Supreme Court regarding filing of the present Review Petition.

Between the impugned order dated 21.02.2019 and the present Review Petition, the development seems to be filing of Civil Appeal after necessary permission/approval from the Board of Directors of the company and also legal opinion qua further course of action to be adopted.

It is seen that the application is filed with the present delay since the Petitioner/applicant had initially of the opinion that the Civil Appeal would be sufficed, but later on opined that certain errors which could be brought on record in the present Review Petition was the sufficient cause for filing the application with delay.

The explanation under circumstances brought on record clearly indicates that the Petitioner had sufficient cause to file this Review Petition with delay. Accordingly, the petition is allowed and the delay is condoned.

Registry is directed to number the Review Petition and list the matter for admission on **31.10.2019**.

**(Ravindra Kumar Verma)**  
**Technical Member**

*tpd*

**(Justice Manjula Chellur)**  
**Chairperson**