

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

IA NO. 1643 OF 2018
IN
(RP)DFR NO. 3360 OF 2018
IN
APPEAL NO. 175 OF 2015

Dated: 24th January, 2019

Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member
Hon'ble Mr. Ravindra Kumar Verma, Technical Member

In the matter of:

Pragati Power Corporation Ltd. (PPCL). Appellant(s)
Versus
Central Electricity Regulatory Commission & Ors. Respondent(s)

Counsel for the Appellant(s) : Mr. Anand K.Ganesan
Ms. Parichita Chaudhary

Counsel for the Respondent(s) : Mr. Mohit Mudgel for R-2
Ms. Moulshree Shukla for R-4
Mr. R.B.Sharma for R-5

ORDER

IA NO. 1643 OF 2018
(Appl. for condonation of delay in filing the appeal)

We have heard the learned counsel appearing for the Appellant and the learned counsel appearing for the Respondent Nos. 2 & 5.

The learned counsel appearing for the Appellant submitted that, there is a delay of 15 days in filing the Appeal. Further, he pointed out and submitted that, in the light of the submissions made and the reasoning given at Paragraph Nos. 2 to 6 of the application, the delay has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly be accepted and delay in filing the Appeal may kindly be condoned and the matter may be heard on merits.

Per-contra, learned counsel appearing for Respondent No. 2 inter-alia contended and opposing the application for condonation of delay in filing the appeal and submitted that reasoning given in Paragraph Nos.2 to 6, has not been explained satisfactorily and the sufficient cause has not been shown in the application.

After careful consideration of the submissions made by the learned counsel appearing for the Appellant and perusal of the reasons assigned in Paragraph Nos. 2 to 6 of the application, explaining the delay in filing the Appeal, the Appellant has explained the delay satisfactorily in the application and sufficient cause has been shown. The same was accepted.

Regarding submission made by the counsel appearing for the Respondent No. 2, we do not find any force in his submission for opposing the delay in filing the Appeal. Taking into consideration the totality of the case in hand, the delay in filing is condoned in the interest of justice and equity. Accordingly, the IA is allowed.

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APPEAL NO. 175 OF 2015

Registry is directed to number the appeal and list the matter for admission on **04.02.2019.**

(Ravindra Kumar Verma)
Technical Member
Bn/kt

(Justice N.K. Patil)
Judicial Member