

COURT - I

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA-284 of 2011 in DFR - 1583 of 2011

Dated : 10th January, 2012

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

MPPL Renewable Energy (P) Ltd. ... Appellant(s)

Versus

Mangalore Electricity Supply Company & Ors. ...Respondent(s)

Counsel for the Appellant(s): Ms. Radhika Kolluru

ORDER

It is now pointed out by the learned counsel for the Appellant that the original Order had been passed on 24.03.2011 and the Appellant filed a Review Petition against that Order and the same was disposed of on 08.09.2011. As against the two Orders, this Appeal has been filed along with an Application to condone the delay of 169 days in filing the Appeal as against the Order passed on 24.03.2011.

But it is noticed, as pointed out by the learned counsel for the Appellant, that the Order passed in Review on 08.09.2011 has modified the main Order dated 24.03.2011 to a certain extent. Therefore, the Order passed on 24.03.2011 gets merged with the

Order passed in Review on 08.09.2011. If it is so, the Appeal filed before this Tribunal on 24.10.2011 was within time i.e., filed within 45 days. Therefore, the question of delay in filing the Appeal does not arise. With this observation, the Application has been disposed of.

The Registry is directed to number the Appeal and post the matter for Admission on **11.01.2012.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

TS/VS