

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA -191 of 2011 in
DFR No. 865 of 2011

Dated : 14th October, 2011

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

Uttar Haryana Bijli Vitran Nigam Limited ... Appellant(s)

Versus

Haryana Electricity Regulatory Commission & Ors.Respondent(s)

Counsel for the Appellant(s): Mr. Anukul Raj for Mrs. Ruchi Gour Narula
Counsel for the Respondent(s): Ms. Shikha Ohri for R.1
Mr. Sanjeet Ranjan for Mr. K. Datta for R.11
Mr. Krishan Mohan (Rep.) for R.6)

ORDER

IA -191 of 2011
(Condone delay Application)

The learned counsel for the Appellant submits that all the Respondents have been served and to this effect, the affidavit of service has also been filed.

Ms. Shikha Ohri, the learned counsel undertakes to file Vakalatnama today on behalf of Respondent No.1; the Commission Mr. Sanjeet Ranjan, the learned counsel undertakes to file Vakalatnama on behalf of Respondent No.11 and Mr. Krishan Mohan, the representative is appearing on behalf of Respondent No.6.

The Representative appearing on behalf of Respondent No.6 submits that he has no objection for condonation of delay. But, however, the learned counsel for Respondent No.11 objects to the condonation of delay on the reason that sufficient cause has not been shown in the affidavit.

We have gone through the affidavit filed in support of the condonation of delay application. The main Order had been passed on 24.12.2010 and the same was received by the Applicant on 03.01.2011 and this Appeal had been filed only on 31.05.2011. According to the Appellant It took sometime to take a decision on to which department has to deal with the matter of filing Appeal in this Tribunal and that was how the delay was caused.

As correctly pointed out by the learned counsel for the 11th Respondent, the reason for the delay shown by the Appellant do not reflect any sufficient cause to condone the delay.

However, we deem it fit to condone the delay on payment of costs. Accordingly, the Applicant/Appellant is directed to pay the cost of Rs.10,000/- (Rupees ten thousand only) as donation to a charitable organization, namely, **“The Child Relief and You (CRY), DDA Slumb Wing, (Barat Ghar), Bapu Park, Kotla, Mubarakpur, New Delhi – 110003”** on or before 28.10.2011.

The Registry is directed to number the Appeal and post the matter for reporting compliance and for Admission on **01.11.2011**. The Registry is also directed to send a copy of this Order to the said charitable organization.

(V.J. Talwar)
Technical Member

(Justice M. KarpagaVinayagam)
Chairperson

TS/KS