

**Before the Appellate Tribunal for Electricity**  
( Appellate Jurisdiction )

**IA- 213 of 2011 in**  
**DFR. No. 1234 of 2011**

**Dated : 19<sup>th</sup> October, 2011**

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

**Maharashtra State Power Generation Co. Ltd. ... Appellant(s)**

**Versus**

**Maharashtra Electricity Regulatory Comm. & Ors. ....Respondent(s)**

Counsel for the Appellant(s): Ms. Shikha Ohri  
Mr. Hemant Singh &  
Ms. Sunil Sharma

Counsel for Respondent (s): Ms. Richa Bharadwaja for  
Mr. Buddy A. Ranganadhan for MERC

**ORDER**

We have heard the learned counsel for the parties. Affidavit of service has been filed.

This is an Application to condone the delay of 81 days in filing the Appeal as against the main Order dated 13.04.2011. According to the learned counsel for the Appellant, after the main Order that was passed on 13.04.2011, they filed a review before the Commission in May 2011, which had been dismissed on 30.06.2011, and thereafter, the present Appeal has been prepared and filed on 16.08.2011, that was how the delay occurred.

In view of the fact that the matter was pending before the Commission in the form of Review, we feel that there is sufficient cause to condone the delay. Accordingly, the delay is condoned.

The Registry is directed to number the Appeal and post for Admission on **03.11.2011**.

**(V.J. Talwar)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**

**TS/KS**