

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

IA 219 of 2011in
DFR-1354 of 2011

Dated : 23rd September, 2011

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

The Chairman TNEB & Ors.

... Appellant(s)

Versus

M/s Ind. Barath Thermal Power Ltd. & Anr.

...Respondent(s)

Counsel for the Appellant(s):

Mr. S. Vallinayagam

Counsel for the Respondent(s):

Mr. T. Srinivasa Murthy for R.1

ORDER

IA 219 of 2011
(Condone delay Application)

This is an Application to condone the delay of 93 days in filing the Appeal. The impugned Order has been passed on 20.04.2011 and the Appeal has been filed on 06.09.2011. Thereafter, according to the Appellant they took time for getting the opinion and approval from the officials concerned, that was how the delay was caused.

Mr. T. Srinivasa Murthy, the learned counsel takes notice on behalf of Respondent No.1 and opposes the application vehemently.

However, we deem it fit to condone the delay on payment of costs. Therefore, the Appellant is directed to pay the cost of

Rs.25,000/- (Rupees twenty five thousand only) to a charitable organization, namely "***Vishranthi home for aged, No. 4/227, Mgr Salai, Palavakkam, Thiruvanmiyur, Chennai - 600041***" within one week. Accordingly, the delay is condoned and this Application is disposed of. The Registry is to send the copy of the Order to the charitable organization.

The Registry is also directed to number the Appeal and post the matter for reporting compliance and for Admission on **30.09.2011.**

(V.J. Talwar)
Technical Member

(Justice M. KarpagaVinayagam)
Chairperson

TS/ KS