

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 10 of 2025 & IA No. 48 OF 2025

Dated: 24th February, 2025

Present: Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Ms. Seema Gupta, Technical Member (Electricity)

In the matter of:

NLC India Limited Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : Shri Venkatesh
Abhishek Nangia
Shivam Kumar
Shryeshth Ramesh Sharma
Kanika Chugh
Ashutosh Kumar Srivastava
Bharath Gangadharan
Akash Lamba
Nihal Bhardwaj
Siddharth Nigotia
Kartikay Trivedi
Mohit Gupta
Manu Tiwari
Aashwyn Singh
Harsh Vardhan
Aniket Kanhaui
Suhael Buttan
Priya Dhankar
Anant Singh
Vineet Kumar
Nikunj Bhatnagar
Kunal Veer Chopra
Vedant Choudhary
for App. 1

Counsel on record for the Respondent(s) : Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for Res. 2

Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for Res. 3

Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for Res. 4

ORDER

IA NO. 48 OF 2025

(For condonation of delay of 416 days in filing the Appeal)

While the delay in filing this appeal, as computed by the Registry, is of 416 days, the submission urged by Mr. Abhishek Nangia, Learned Counsel for the Appellant is that if the period spent in prosecuting the review petition is excluded, then, in fact, there is no delay. The order impugned in this appeal was passed on 06.10.2023, aggrieved by which the Appellant filed review petition on 08.11.2023, within the statutorily prescribed time limit of 45 days to file a review; the said review petition was dismissed on 25.11.2024; and the present appeal was filed on 09.01.2025 within the statutorily prescribed time limit of 45 days.

Ordinarily, the period spent in prosecuting the review petition is required to be excluded in computing the period of delay in preferring the appeal. If so excluded, then, in fact, there is no delay. We are satisfied that the delay as pointed out by the Registry should be condoned. The delay is, accordingly, condoned. The application is disposed of.

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Reply shall be filed by the Respondents within six weeks and rejoinder, if any, shall be filed within four weeks' thereafter. After pleadings

are complete, and after verification by the Registry, let this Appeal be included in the '**List of Finals**', to be taken up from there, in its turn.

Seema Gupta
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/sk