

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 109 of 2025 & IA No. 428 OF 2025 & IA No. 427 OF 2025

Dated: 15th May, 2025

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

In the matter of:

Maharashtra State Electricity Distribution Company Limited Appellant(s)

Versus

Maharashtra Electricity Regulatory Commission Respondent(s)

Counsel on record for the Appellant(s) : Udit Gupta
Anup Jain
Vyom Chaturvedi
Pragya Gupta
Sneha Singh
Nishtha Goel
Deepshikha Kumar
for App. 1

Counsel on record for the Respondent(s) : --

ORDER

IA NO. 427 OF 2025

(For condonation of delay of 672 and 31 days in filing the Appeal)

While the delay in filing this appeal, as computed by the Registry, is of 672 days, Mr. Vyom Chaturvedi, Learned Counsel for the Appellant, would submit that, if the period spent in prosecuting the review petition is excluded, then, the delay is only of 31 days.

The order, impugned in this appeal, was passed on 31.03.2023, aggrieved by which the Appellant filed a review petition before the Commission on 12.05.2023, within the statutorily prescribed time limit of

45 days to file a review; the said review petition was dismissed on 31.12.2024; and the present appeal was filed on 17.03.2025.

Ordinarily the period spent by the Appellant, in prosecuting the review petition, is required to be excluded in computing the delay. If the period spent by the Appellant in prosecuting the review petition is excluded, the delay must then be computed only from the date of the order in review petition was passed i.e. on 31.12.2024, in which event, the delay would be of around 31 days. We are of the view that the delay of 31 days in filing the Appeal is not so inordinate as to non-suit the Appellant on this score. The delay of 31 days in filing the Appeal is condoned, and the application is disposed of.

IA NO. 428 OF 2025

(For exemption from filing certified copy of the impugned order)

Mr. Vyom Chaturvedi, Learned Counsel for the Appellant, undertakes to file a certified copy of the impugned order within four weeks. Recording his submission, the IA is closed.

DFR NO. 109 OF 2025

Despite service of notice, no counsel has entered appearance on behalf of the sole Respondent. 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