

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 112 of 2025 & IA No. 430 OF 2025

Dated: 29th April, 2025

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

In the matter of:

India Power Corporation Limited Appellant(s)

Versus

West Bengal Electricity Regulatory Commission Respondent(s)

Counsel on record for the Appellant(s) : Anand K. Ganesan
Swapna Seshadri
Aishwarya Subramani
Harsha V Rao
for App. 1

Counsel on record for the Respondent(s) : C.K. Rai
for Res. 1

ORDER

IA NO. 430 OF 2025

(For condonation of delay of 168 days in filing the Appeal)

There is a delay of 168 days in filing the appeal. The explanation furnished for the delay is that it took the Appellant considerable time to collate data and draft the appeal against the tariff order. We are of the view that this does not constitute sufficient cause for delay in filing the appeal. We are however, satisfied that the delay of 168 days in filing the appeal can be condoned on condition that the Appellant pays costs of Rs.75,000/- (Rupees Seventy Five Thousand only) to the Central Transmission Utility of India Limited (CTUIL) within four weeks from today, and files proof of payment in the Registry within two weeks thereafter. Subject to compliance with the aforesaid directions, the delay is condoned.

Needless to state that, in case the aforesaid costs are not paid within the stipulated time and an affidavit of proof of payment is not filed in the Registry within two weeks thereafter, the application for condonation of delay in preferring the appeal, shall stand dismissed automatically, and the Appeal shall stand rejected.

The application is disposed of.

The Appellant shall also intimate the CTUIL of the Appeal No. and the date of the Order, in terms of which costs are being paid.

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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/dk