

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 123 of 2025 & IA No. 483 OF 2025 & IA No. 484 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:

Bihar State Power (Holding) Company Limited & Ors. Appellant(s)

Versus

Bihar Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : Aashish Gupta
Puneeth Ganapathy
Sankalp Udgata
Chiranjeev Singh Marwaha
for App. 1

Aashish Gupta
Puneeth Ganapathy
Sankalp Udgata
Chiranjeev Singh Marwaha
for App. 2

Aashish Gupta
Puneeth Ganapathy
Sankalp Udgata
Chiranjeev Singh Marwaha
for App. 3

Counsel on record for the Respondent(s) : Sakya Singha Chaudhuri
Avijeet Lala
Astha Sharma
Shreya Dubey
Devank Maheshwari
Asmita Narula
Neha Das
Nikhil Anand
Chumthunglo Z Ngullie
Chandan Kumar
Aditya Pratap Singh
for Res. 2

Sakya Singha Chaudhuri

Avijeet Lala
Astha Sharma
Shreya Dubey
Devank Maheshwari
Asmita Narula
Neha Das
Nikhil Anand
Chumthunglo Z Ngullie
Chandan Kumar
Aditya Pratap Singh
for Res. 3

ORDER

IA NO. 483 OF 2025

(For condonation of delay of 189 days in filing the Appeal)

The explanation furnished for the delay of 189 days in filing the appeal is that the Appellant was examining the representations submitted by others seeking parity with the 2nd and 3rd Respondents which had filed the review petition. This explanation, in our view, does not constitute sufficient cause for condonation. We are, however, of the view that the delay is not so inordinate as to justify denying the Appellant an opportunity of having their Appeal heard on merits, albeit on imposition of costs. We therefore, direct that the delay of 189 days in filing the Appeal 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.

IA NO. 484 OF 2025

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

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

DFR NO. 123 OF 2025

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