

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 130 of 2025 & IA No. 605 OF 2025 & IA No. 607 OF 2025 & IA
No. 606 OF 2025

Dated: 20th May, 2025

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

In the matter of:

Juniper Green Energy Private Limited Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : Vishrov Mukerjee
Janmali Gopal Rao Manikala
Nishtha Kumar
Yashaswi Kant
Girik Bhalla
Pratyush Singh
Raghav Malhotra
Damodar Solanki
Priyanka Vyas
Anamika Rana
Juhi Senguttuvan
Rohan Sachdev
for App. 1

Counsel on record for the Respondent(s) : Shri Venkatesh
Shryeshth Ramesh Sharma
Kanika Chugh
Ashutosh Kumar Srivastava
Abhishek Nangia
Akash Lamba
Nihal Bhardwaj
Siddharth Nigotia
Surbhi Kapoor
Kartikay Trivedi
Aashwyn Singh
Mohit Gupta
Manu Tiwari
Harsh Vardhan
Aniket Kanhaua
Suhael Buttan
Priya Dhankar
Anant Singh

Vineet Kumar
Nikunj Bhatnagar
Kunal Veer Chopra
Vedant Choudhary
Tarang Saraogi
Shivam Kumar
for Res. 2

Matrugupta Mishra
Swagatika Sahoo
Sonakshi
Nipun Dave
Akanksha V. Ingole
for Res. 3

ORDER

IA NO. 605 OF 2025

(For condonation of delay of 199 days in filing the Appeal)

The explanation furnished for the delay of 199 days in filing the appeal is that during the pendency of the petition filed by the 2nd Respondent before the Commission, seeking adoption of the tariff, the bid validity had expired; and the Appellant herein had, thereafter, filed a petition before the Commission not to adopt the tariff on this ground. 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 199 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. 606 OF 2025

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

Mr. Janmali Gopal Rao Manikala, Learned Counsel for the Appellant, undertakes to file a certified copy of the order under appeal within four weeks. Recording his submission, the IA is closed.

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Since the Appellant has filed an affidavit of proof of service of notice on all the Respondents, failure to effect service of notice through court, on some of the Respondents, is of no consequence.

The Respondents shall file reply within six weeks. Mr. Janmali Gopal Rao Manikala, Learned Counsel for the Appellant, requests two weeks' time thereafter to file rejoinder. Time, as sought for, is granted.

Post the IA for interim relief on **17.07.2025**.

Seema Gupta
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/dk