

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 137 of 2025 & IA No. 654 OF 2025

Dated: 4th July, 2025

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

In the matter of:

Bihar Grid Company Limited

.... Appellant(s)

Versus

Bihar Electricity Regulatory Commission

.... Respondent(s)

Counsel on record for the Appellant(s) : Anand K. Ganesan
Swapna Seshadri
Utkarsh Singh
Sneha Singh Baghel
Parth Bhalla
for App. 1

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

ORDER

IA No.654 OF 2025

(For condonation of delay in filing the Appeal)

While the Registry records the delay to be of 359 days, Mr.Utkarsh Singh, learned Counsel for the Appellant, would contend that there was a delay in receipt of a copy of the order passed by the Commission; and the delay, if computed from the date of receipt of a copy of the impugned order, would be of 293 days.

As the appeal under Section 111(2) is required to be filed within 45 days from the date on which a copy of the order made by the appropriate Commission is received by the aggrieved person, Mr. Utkarsh Singh, learned Counsel, may be justified in his submission that the delay must be computed from the date of receipt of a copy of the impugned order. That only results in the number of days delay being reduced from 359 days to 293 days. The explanation furnished for this delay of 293 days is only of administrative reasons, and does not constitute “sufficient cause” for condonation. We have ordinarily been condoning delay in filing appeals for up to one year on imposition of costs with a view not to deprive parties of an opportunity to have their appeal adjudicated on merits.

For the delay of 293 days, we deem it appropriate to condone the same on payment of costs of Rs. 1,25,000/- (Rupees One lakh Twenty Five Thousand only) to the Central Transmission Utility of India Limited (CTUIL) within four weeks from today, and on proof of payment of costs being filed in the Registry within two weeks thereafter. The delay is condoned subject to compliance with the aforesaid directions.

Needless to state that, in case the aforesaid costs are not paid within four weeks from today and an affidavit of proof of payment is not filed in the Registry within two weeks thereafter, the application, for condonation of delay in filing the appeal, shall stand dismissed automatically, and the Appeal shall stand rejected. The I.A. is, accordingly, 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.

DFR No. 137 of 2025

Subject to compliance with the aforesaid directions, and in as much as no counsel has entered appearance on behalf of the sole Respondent, let the 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

ts/sk