

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 140 of 2025 & IA No. 664 OF 2025

Dated: 7th July, 2025

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

In the matter of:

NLC Tamil Nadu Power Limited Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : Shri Venkatesh
Shryeshth Ramesh Sharma
Kanika Chugh
Ashutosh Kumar Srivastava
Akash Lamba
Nihal Bhardwaj
Siddharth Nigotia
Abhishek Nangia
Shivam Kumar
Kartikay Trivedi
Mohit Gupta
Manu Tiwari
Aashwyn Singh
Harsh Vardhan
Aniket Kanhaui
Suhael Buttan
Priya Dhankar
Anant Singh
Vineet Kumar
Nikunj Bhatnagar
Kunal Veer Chopra
Vedant Choudhary
Surbhi Kapoor
for App. 1

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

ORDER

IA-664/2025

(For condonation of delay in filing the Appeal) (254 days)

While the delay, as recorded by the Registry, is of 254 days in filing the appeal. Mr. Shri Venkatesh, Learned Counsel for the Appellant would point out that, if the period from the date of the impugned order till the date of its receipt is excluded, then the delay is of 208 days.

The impugned order was passed by the Central Commission on 20.06.2024 and the certified copy of the same was received by the Appellant on 22.08.2024. It does appear that the delay, if computed from the date of receipt of the certified copy of the impugned order, is of 208 days. The explanation furnished for the delay of 208 days is of administrative reasons which, in our view, does not constitute “sufficient cause” for condonation of delay. As the delay, in filing the appeal in the present case, is of 208 days, we deem it appropriate to condone the delay on condition that the Applicant-Appellant pays costs of Rs.1,00,000/- (Rupees One Lakh 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 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 IA 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 : 140 of 2025

Since court notice has already been served on the tenth Respondent, failure of the appellant to file affidavit of proof of service of notice, is of no consequence. In any event, refusal to receive notice amounts to deemed service.

Reply shall be filed within six weeks and rejoinder shall be filed within four weeks thereafter.

After pleadings are complete, Registry to verify and then include the appeal in the List of Finals, to be taken up from there in its turn.

(Seema Gupta)
Technical Member (Electricity)
mk/dk

(Justice Ramesh Ranganathan)
Chairperson