

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 144 of 2025 & IA No. 1190 OF 2025 & IA No. 673 OF 2025

Dated: 2nd September, 2025

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

In the matter of:

The Secretary (Admin) Kerala State Electricity Board Ltd Appellant(s)
& Ors.

Versus

Kerala State Electricity Regulatory Commission & Anr. Respondent(s)

Counsel on record for the Appellant(s) : Subhash Chandran K.R
Krishna L.R
for App. 1

Krishna L.R
Subhash Chandran K.R
for App. 2

Krishna L.R
Subhash Chandran K.R
for App. 3

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

ORDER

IA No.1190 OF 2025

(For condonation of delay in re-filing the Appeal)

The delay of 71 days in re-filing the appeal is not so inordinate as to non-suit the Appellant on this score. The delay in re-filing the appeal is condoned. The application is disposed of.

IA No.673 OF 2025

(For condonation of delay in filing the Appeal)

The explanation furnished for the delay of 88 days in filing the appeal is that it took time for the Appellant to collate the material required to file an appeal and to obtain approval from the competent authority to prefer an appeal. This, in our view, does not constitute “sufficient cause” for condonation of delay. We are, however, also of the view that the delay is not so inordinate as to deny the Appellant the opportunity of having their appeal heard on merits, and consider it appropriate to condone the delay on condition that the Appellant pays costs of Rs. 35,000/- (Rupees Thirty 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. 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 CTU of the Appeal No. and the date of the Order, in terms of which costs are being paid.

DFR No. 144 of 2025

Since court notice has already been served, failure of the appellant to file affidavit of proof of service of notice, is of no consequence

Six weeks' time is granted to file reply. Rejoinder, if any, may be filed within four weeks thereafter.

Subject to compliance with the aforesaid directions, and after pleadings are complete, Registry to verify the same, and then include the Appeal 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