

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 159 of 2025 & IA No. 763 OF 2025

Dated: 10th July, 2025

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

In the matter of:

Chamundeswari Electricity Supply Corporation Limited Petitioner(s)
Versus

Adani Green Energy (UP) Limited & Ors. Respondent(s)

Counsel on record for the Petitioner(s) : Sumana Naganand
Garima Jain
Nidhi Gupta
Tushar Kanti Mohindroo
Arnav Khanna
Vismaya Simha
for App. 1

Counsel on record for the Respondent(s) : Poonam Verma Sengupta
Sakshi Kapoor
Gayatri Aryan
Saunak Kumar Rajguru
Rajesh Jha
Shubham Bhut
Pradyumn Sharma
for Res. 1

ORDER

IA-763/2025

(For condonation of delay in filing the review petition)(321 days)

Heard Mr. Dhruv Mehta, Learned Counsel appearing on behalf of the Applicant-Appellant.

While the delay as computed by the Registry is 321 days, it does appear that the Appellant had approached the Supreme Court against the

earlier order passed by this Tribunal in Appeal No. 130 of 2022 dated 14.05.2024; and the Supreme Court by its order dated 17.02.2025, after recording the submissions of the Learned Senior Counsel that there were certain factual errors in the impugned judgment, granted the Petitioner herein limited liberty to approach this Tribunal and seek review on the factual errors, if any, that had occurred within the limited parameters of review for an error apparent on the face of the record.

As long as the review petition is confined to factual aspects which constitute an error apparent, the delay in invoking the review jurisdiction must necessarily be computed from the date of the order of the Supreme Court, and not from the date of the original order passed by this Tribunal. Consequently, if the delay is computed from 17.02.2025 till 30.04.2025, ie the actual date of filing the present review petition, the delay would be around 41 days. The delay of 41 days in filing the review petition is not so inordinate as to non-suit the Petitioner on this score. The delay is condoned, and the application is disposed of.

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Ms. Poonam Verma Sengupta, Learned Counsel for the first Respondent, seeks three weeks' time to file reply. Time, as sought for, is granted. Rejoinder, if any, shall be filed within two weeks' thereafter.

After the pleadings are complete, Registry to verify and then post the matter before Court-2, whose order is now sought to be reviewed.

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

(Justice Ramesh Ranganathan)
Chairperson