COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 164 of 2025 & IA No. 786 OF 2025 & IA No. 787 OF 2025

Dated: 5th August, 2025

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

In the matter of:

Tamil Nadu Power Distribution Corporation Limited & Ors.	....	Appellant(s)
Versus		
Tamil Nadu Electricity Regulatory Commission & Ors.	....	Respondent(s)

Counsel on record for the Appellant(s)	:	S. Vallinayagam for App. 1 S. Vallinayagam for App. 2 S. Vallinayagam for App. 3
Counsel on record for the Respondent(s)	:	for Res. 1 Kumar Mihir S.P. Parthasavathy for Res. 4

ORDER

IA No. 786 OF 2025

(for condonation of delay in filing the appeal)

The explanation furnished for the delay of 303 days in filing the appeal is partly on the ground that they received a certified copy of the impugned order late. The fact, however, remains that the Appellant herein

applied for a certified copy on 05.09.2024, 3 ½ months after the impugned order was passed on 23.05.2024. The certified copy was furnished to the Appellant on 24.09.2024 ie within 20 days of filing the application. Having failed even to file an application for a certified copy within time, the Appellant cannot now be heard to contend that the delay in furnishing a certified copy of 20 days lead to the delay in filing the present appeal, more so when the delay in filing the appeal is of 303 days.

While the delay is no doubt substantial, we are of the view that the Appellant should not be non-suited and be denied an opportunity to have their appeal adjudicated on merits on this score alone. We are of the view that the delay can be condoned *albeit* by imposing exemplary costs. On condition that the Appellant pays costs of Rs.1,50,000/- (Rupees One lakh Fifty 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. The application is disposed of, subject to compliance with the aforesaid directions.

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.

IA No. 787 OF 2025

(for interim relief)

Mr. S. Vallinayagam, learned Counsel for the Appellant, would fairly state that, in the light of the inordinate delay in invoking the appellate jurisdiction, the Appellant does not press for grant of interim relief.

The IA is dismissed as not pressed.

DFR No : 164 of 2025

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

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