

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 18 of 2025 & IA No. 79 OF 2025

Dated: 18th March, 2025

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

In the matter of:

Himachal Pradesh Power Corporation Limited Appellant(s)

Versus

Himachal Pradesh Electricity Regulatory Commission & Anr. Respondent(s)

Counsel on record for the Appellant(s) : Vishrov Mukerjee
Yashaswi Kant
Girik Bhalla
Pratyush Singh
Damodar Solanki
Priyanka Vyas
Raghav Malhotra
Anamika Rana
Juhi Senguttuvan
Shreya Sundaraman
for App. 1

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

Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for Res. 2

ORDER

IA-79/2025

(For condonation of delay in filing the Appeal) (178 and 25 days)

While the Registry records the delay to be of 178 and 25 days, Mr. Pratyush Singh, Learned Counsel for the Appellant, submits that, the order impugned in this appeal was passed on 05.06.2024, against which the Appellant had preferred a Review Petition on 03.07.2024; the said Review Petition was dismissed on 05.11.2024; and the Appellant has filed the present appeal on 14.01.2025. Ordinarily, the period spent in prosecuting the Review Petition is required to be excluded in computing the delay in filing the appeal. If so excluded, there appears to be a delay of 25 days. The Appellant ought to have filed the Appeal on or before 20.12.2024 (ie within 45 days from the date of the review order). The Appeal was filed on 14.01.2025 ie with a delay of 25 days. The delay is not so inordinate as to non-suit the Appellant on this ground. In any event, this application is not opposed by Learned Counsel for the second Respondent. The delay is, accordingly, condoned and the IA is disposed of.

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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

mk/dk