

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 187 of 2025 & IA No. 851 OF 2025

Dated: 1st July, 2025

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

In the matter of:

Damodar Valley Corporation Appellant(s)

Versus

West Bengal Electricity Regulatory Commission Respondent(s)

Counsel on record for the Appellant(s) : Shri Venkatesh
Shryeshth Ramesh Sharma
Kanika Chugh
Ashutosh Kumar Srivastava
Suhael Buttan
Nihal Bhardwaj
Surbhi Kapoor
Adarsh Singh
Siddharth Nigotia
Manu Tiwari
Abhishek Nangia
Mohit Mansharamani
Akash Lamba
Shivam Kumar
Kartikay Trivedi
Aashwyn Singh
Mohit Gupta
Harsh Vardhan
Aniket Kanhaui
Ananya Dutta
Indu Uttara
Priya Dhankar
Vineet Kumar
Tanishka Khatana
Nikunj Bhatnagar
Kunal Veer Chopra
Vedant Choudhary
Tarang Saraogi
Manav Bhatia

Drishti Rathi
for App. 1

Counsel on record for the Respondent(s) : C.K. Rai
Anuradha Roy
Vinay Kumar Gupta
for Res. 1

ORDER

IA-851/2025

(For condonation of delay in filing the Appeal) (559 days)

While the delay, as recorded by the Registry, is of 559 days in filing the appeal, it does appear that, in case the period spent by the Appellant in prosecuting the review petition is excluded, then there is a delay of 06 days only.

The order, impugned in this appeal, was passed on 18.09.2023 and the Appellant filed a review petition there against on 17.11.2023, well within the period of sixty days stipulated for filing the review petition. The said review petition was, eventually, partly dismissed on 24.03.2024, and the Appeal came to be filed on 14.05.2025 after a delay of 06 days of the prescribed period of limitation of 45 days computed from the date the review petition was partly dismissed.

Ordinarily, the period spent in prosecuting the review petition is required to be excluded in computing the delay. If so excluded, there is a delay of 06 days in filing the appeal. The delay pointed out by the Registry is condoned, and the application is disposed of.

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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