

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 292 of 2025 & IA No. 1217 OF 2025

Dated: 7th November, 2025

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Mr. Ajay Talegaonkar, Technical Member (Electricity)

In the matter of:

Delhi Transco Ltd. Petitioner(s)

Versus

Delhi Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Petitioner(s) : Pradeep Misra for App. 1

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

ORDER

IA-1217/2025

(For condonation of delay in filing the review petition)(69 days)

The explanation furnished by the Petitioner for the delay of 69 days in filing the review petition is that copies of the earlier orders of this Tribunal were not readily available, and had to be traced, resulting in the delay. This explanation, in our view, does not constitute “sufficient cause” for condonation of delay. We are, however, satisfied that the delay is not so inordinate as to non-suit the Petitioner on this score albeit on payment of costs which we quantify as Rs.35,000/-.

On condition that the Petitioner 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 in filing the present review petition is condoned.

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 review petition, shall stand dismissed automatically, and the review petition shall stand rejected.

The IA is, accordingly, disposed of.

The Petitioner shall also intimate the CTUIL of the Review Petition No. and the date of the Order, in terms of which costs are being paid.

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Mr. Pradeep Misra, Learned Counsel for the Petitioner, states that the affidavit of service has been filed in the Registry on 29.09.2025 itself; and the endorsement of the Registry to the contrary is erroneous. Registry to again verify and take appropriate action in this regard.

The order under review was passed by the bench consisting of Mr. Sandesh Kumar Sharma, Technical Member and Mr. Virender Bhat, Judicial Member. While Mr. Sandesh Kumar Sharma, Technical Member has since retired, Order 47 Rule 5 CPC requires the review petition to be heard by the bench consisting of the other member who heard the original appeal. Let the review petition be listed, after pleadings are complete, before Court-2 of which Mr. Virender Bhat, Judicial Member is a part of.

Reply shall be filed within six weeks and rejoinder shall be filed within four weeks thereafter.

Post the matter before Court-II on 12.01.2026.

Ajay Talegaonkar
Technical Member (Electricity)

mk/kns

Justice Ramesh Ranganathan
Chairperson