

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 294 of 2025 & IA No. 1367 OF 2025 & IA No. 1363 OF 2025 &
IA No. 1364 OF 2025 & IA No. 1366 OF 2025 & IA No. 1365 OF 2025

Dated: 2nd December, 2025

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

In the matter of:

Gimatex Industries Pvt. Ltd. Appellant(s)

Versus

Maharashtra Electricity Regulatory Commission & Anr. Respondent(s)

Counsel on record for the Appellant(s) : Sachin
for App. 1

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

Ramanuj Kumar
Vishal Binod
Aditya Dubey
Sagnik Maitra
Rimali Batra
Abhishek Lalwani
for Res. 2

ORDER

IA No. 1367 of 2025
(for leave to file appeal)

The Appellant is a consumer and is adversely affected by the impugned tariff order passed by the Commission. He is undoubtedly a “person aggrieved”. We see no reason, therefore, to deny them leave to file the appeal. Leave, as sought for, is granted and the application is disposed of.

IA No. 1364 of 2025
(for waiver of court fee)

Mr. Sachin, Learned Counsel for the Appellant, seeks permission to withdraw IA No. 1364 of 2025 whereby the Appellant had sought waiver of court fee with respect to the appeal preferred against the review order passed by the MERC on 25.06.2025. Learned Counsel would state that, since the review order was itself set aside by the Bombay High Court by its judgment dated 03.11.2025 and the matter remanded back to the Commission, and the order of the Bombay High Court has been affirmed in appeal by the Supreme Court by its order 17.11.2025, the question of now mounting a challenge, to the review order passed by the Commission on 25.06.2025, does not arise. In the light of the aforesaid facts, the IA for waiver of court fee is dismissed as withdrawn.

IA NO. 1363 OF 2025
(for condonation of delay in filing the appeal-88 days)

While the delay in filing the appeal as computed by the Registry is of 88 days, Mr. Sachin, Learned Counsel for the Appellant, would submit that the order impugned in the appeal dated 28.03.2025 was stayed by the MERC, in the review proceedings, by its order dated 02.04.2025; the said order of stay continued to remain in force till the review petition was partly allowed by the order dated 25.06.2025; and if the delay were to be computed from 25.06.2025, then there is in fact no delay, as the appeal was filed within 45 days from the said date. As the impugned order was itself stayed by the Commission, the Appellant may be justified in not invoking the jurisdiction of this Tribunal earlier.

We see no reason no therefore to non-suit the Appellant on the this ground. The delay is condoned, and the IA is disposed of.

No. 1365 of 2025

(For exemption from filing the certified copy of the Impugned order)

Mr. Sachin Learned Counsel for the Appellant, undertakes to file a certified copy of the Impugned Order within four weeks. Recording his submission, the IA is disposed of.

DFR No : 294 of 2025 IA No. 1366 OF 2025

Ms Sagnik Maitra, Learned Counsel for the 2nd Respondent, seeks four weeks' time to file reply to the main appeal and to the IA. Mr. Sachin Learned Counsel for the Appellant, seeks three weeks' time to file rejoinder thereafter. Time, as sought for, is granted.

List the IA No. 1366 OF 2025 (for interim relief) on **23.01.2026.**

Ajay Talegaonkar
Technical Member (Electricity)

sk/mkj

Justice Ramesh Ranganathan
Chairperson