

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 314 of 2025 & IA No. 1283 OF 2025

Dated: 30th October, 2025

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

In the matter of:

Rubber Park India Private Limited Appellant(s)

Versus

Kerala State Electricity Regulatory Commission & Anr. Respondent(s)

Counsel on record for the Appellant(s) : Anand K. Ganesan
Swapna Seshadri
Harsh Vardhan
Aishwarya Subramani
for App. 1

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

Subhash Chandran K.R
Krishna L.R
Anirudh K. P
for Res. 2

ORDER

IA NO. 1283 OF 2025

(For condonation of delay of 197 days in filing the appeal)

While the delay as computed by the Registry is of 197 days, Ms. Aishwarya Subramani, Learned Counsel for the Appellant, submits that, if the period spent by the appellant in prosecuting the review petition were to be excluded, then the delay is merely of 07 days.

The order under appeal was passed on 26.12.2024 aggrieved by which the appellant herein filed a review petition on 05.02.2025. The Review Petition was dismissed on 04.07.25.

Ordinarily, the period spent in prosecuting the review petition is required to be excluded in computing the delay in preferring the appeal. If so excluded, the delay must be computed only from 04.07.2025 when the review petition was dismissed. The 45 days limitation period, prescribed under Section 111 of the Electricity Act, 2003, if computed from 04.07.2025, would have expired on 18.08.2025. Since the present Appeal was filed on 25.08.2025, the delay in filing the appeal, in fact, is of only 07 days. The delay is not so inordinate as to non-suit the Appellant on this score. The delay is condoned, and the application is disposed of.

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Reply shall be filed by the Respondents within six weeks and rejoinder, if any, shall be filed within four weeks' thereafter. After pleadings are complete, and after verification by the Registry, let this Appeal be included in the '**List of Finals**', to be taken up from there for hearing, in its turn.

Ajay Talegaonkar
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/snk