

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)

DFR No : 317 of 2025 & IA No. 1297 OF 2025 & IA No. 1299 OF 2025

**Dated: 31<sup>st</sup> October, 2025**

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

In the matter of:

Ansal Buildwell Limited

.... Appellant(s)

Versus

Dakshin Haryana Bijli Vitran Nigam Limited & Anr.

.... Respondent(s)

Counsel on record for the Appellant(s) : Bhagwat Prasad Agarwal  
for App. 1

Counsel on record for the Respondent(s) : --

**ORDER**

IA NO. 1297 OF 2025

(For condonation of delay of 341 days in filing the Appeal)

The delay in filing this Appeal is of 341 days. The explanation furnished, as a justification for the inordinate delay in invoking the appellate jurisdiction of this Tribunal, is that the Appellant herein had filed a representation before the Commission regarding computation. Learned Counsel for the Appellant would fairly state that no orders have been passed by the Commission, on such a representation, even till date.

It does appear, therefore, that this justification of a representation being filed is just a ruse to have the delay condoned in as much as nothing prevented the Appellant herein from invoking the appellate jurisdiction within time despite the pendency of such a representation. If, on the other hand, pendency of the representation was the reason why an appeal was

not filed earlier, there is no explanation as why an appeal is now being filed even though the representation has not been disposed of by the Commission. In any event, it is settled law that mere filing of a representation does not justify the inordinate delay in invoking appellate remedies **[Amrit Lal Berry vs. Collector of Central Excise : (1975) 4 SCC 714]**.

While Mr. Rahed Kohli, Learned Counsel appearing on behalf of the 1<sup>st</sup> Respondent, would submit that the inordinate delay of 341 days in filing the appeal would require the appeal to be rejected, we cannot ignore the fact that this Tribunal has been consistently condoning the delay in filing appeals, albeit on imposition of heavy costs for the delay in invoking the appellate jurisdiction of up to one year. Heavy costs, ranging from Rs.20,000/- to Rs.2,00,000/-, are being imposed depending on the length of the delay in filing appeals ranging from 51 days to 365 days. Costs are uniformly being imposed on parties with a view to avoid denying them an opportunity to have their appeal adjudicated on merits. For delays ranging between 300 to 350 days, the costs which this Tribunal has been imposing on parties is Rs.1,50,000/-.

We consider it appropriate, in such circumstances, to condone the delay in filing the present appeal, on condition that the Appellant herein pays costs of Rs.1,50,000/- (Rupees One Lakh Fifty 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. Subject to compliance with the aforesaid directions, the delay is condoned.

Needless to state that, in case the aforesaid costs are not paid within the stipulated time and an affidavit of proof of payment is not filed in the

Registry within two weeks thereafter, the application for condonation of delay, in preferring the appeal, shall stand automatically dismissed, and the Appeal shall stand rejected. The application is disposed of.

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

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Reply shall be filed by the Respondents within six weeks. Learned Counsel for the Appellant, seeks two weeks' time thereafter to file rejoinder. Time, as sought for, is granted.

Post the IA for interim relief after eight weeks, i.e. **09.01.2026**.

Ajay Talegaonkar  
Technical Member (Electricity)  
*tpd/mkj*

Justice Ramesh Ranganathan  
Chairperson