

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 320 of 2024 & IA No. 1062 OF 2024 & IA No. 1063 OF 2024 &
IA No. 1064 OF 2024

Dated: 16th August, 2024

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

In the matter of:

Tamil Nadu Generation and Distribution Corporation Limited Appellant(s)

Versus

Tamil Nadu Electricity Regulatory Commission & Anr. Respondent(s)

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

Counsel on record for the Respondent(s) : Sethu Ramalingam
S. Shivshankari for Res. 1

ORDER

IA NO. 1062/2024

(for condonation of delay of 123 days in filing the appeal)

The explanation furnished for the delay of 123 days in filing the Appeal is that the Appellant was under the impression that it would suffice to prefer one common appeal against the order passed by the Commission in a batch of petitions. This explanation in our view does not constitute "sufficient cause" as separate appeals are required to be filed with respect to each petition. Since the application for condonation of delay is not opposed by the learned Counsel for the Respondents, we consider it appropriate to impose costs for the delay to be condoned and the Appeal being entertained. On condition that the applicant/ Appellant pays costs of Rs.50,000/- (Rupees 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, 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 dismissed automatically, 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.

IA NO. 1064/2024
(for exemption from impleading parties)

This application is filed to exempt the Appellant - TANGEDCO from arraying its own officers as Respondents in the Appeal. The IA is allowed and the Appellant is exempted from impleading its officers as Respondents in the Appeal filed by it. 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.

Post the IA for hearing on **21.10.2024**.

Seema Gupta
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/sk