IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

COURT-1

DFR No : 329 of 2022 & IA No. 1678 OF 2022

Dated: 21st March, 2023

Present: Hon'ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon'ble Mr. Sandesh Kumar Sharma, Technical Member

In the matter of:

GRIDCO Limited	....	Appellant(s)
Versus		
Odisha Electricity Regulatory Commission	....	Respondent(s)

Counsel for the Appellant(s)	:	Swapna Seshadri
Counsel for the Respondent(s)	:	G. Umapathy, Sr. Adv. Rutwik Panda Nikhar Berry Anshu Malik For Res1

ORDER

IA NO. 1678 OF 2022

[For condonation of delay in filing Appeal]

The explanation furnished for the delay of 94 days in filing the Appeal is that voluminous documents were required to be submitted. Section 111(2) of the Act prescribed 45 days for preferring the Appeal, within which period the Appellant is obligated to have the documents ready. While the explanation as submitted is no doubt unsatisfactory, we do not also wish to deny the Appellant an opportunity of the appeal being heard on merits. We, therefore, condone the delay of 94 days in filing the Appeal on condition that the Appellant pays costs of Rs.20,000/- to the Respondent-Commission within four weeks from today, and files proof of payment in the Registry within one week thereafter. Subject to compliance with the aforesaid directions, let the Appeal be listed after five weeks.

Needless to state that failure to comply with the aforesaid order would result in automatic dismissal of the IA seeking condonation of delay in refiling the Appeal, and in rejection of the Appeal.

The IA is disposed of.

DFR NO.329 OF 2022

Ms. Swapna Seshadri, learned Counsel for the Appellant, requests four weeks' time to move an application to implead the four distribution companies in the State of Odisha as party-respondent, since any order in the Appellant's favour would result in liability being fastened on them.

Post on ***02.05.2023***.

(Sandesh Kumar Sharma)
Technical Member

(Justice Ramesh Ranganathan)
Chairperson

vt/tp/dk