COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 353 of 2025 & IA No. 1436 OF 2025 & IA No. 1438 OF 2025

Dated: 1st December, 2025

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson

Hon`ble Mr. Ajay Talegaonkar, Technical Member (Electricity)

In the matter of:

Solarone Energy Private Limited .... Appellant(s)

Versus

Central Electricity Regulatory Commission & Ors. .... Respondent(s)

Counsel on record for the Appellant(s) : Hemant Sahai
Nitish Gupta
Molshree Bhatnagar
Shubhi Sharma
Nipun Sharma
Tushar Srivastava
Nimesh Jha
Rishabh Sehgal
Shaida Das
Kamya Sharma
Varnika Tyagi
Karthik Sivadas
Harshit Dhamija
for App. 1

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

Poorva Saigal
Shubham Arya
Pallavi Saigal
Reeha Singh
Rishabh Saxena
Shirin Gupta
Shree Dwivedi
Kaavya Madaan

for Res. 2

ORDER

IA NO.1436 OF 2025

(condonation of delay in filing the Appeal- 133 and 476 days)

The delay in filing the appeal, against the original order dated 21.04.2024, is of 476 days; and the delay in filing the appeal, against the subsequent order dated 30.03.2025, is of 133 days. Ms. Molshree Bhatnagar, Learned Counsel for the Appellant, would submit that the Appellant does not press for condonation of delay in challenging the order passed by the Commission on 21.04.2024, and hence this Tribunal need not undertake the exercise of examining whether or not the delay of 476 days is required to be condoned. Recording the submission urged by Ms. Molshree Bhatnagar, Learned Counsel, the Appellant's challenge to the earlier order dated 21.04.2025 stands rejected.

While the explanation, furnished for the delay of 133 days in filing the appeal, may not satisfy the test of "sufficient cause" under the proviso to Section 111(2) of the Electricity Act, we are of the view that the delay not so inordinate as to deny the Appellant an opportunity of having their appeal heard on merits, albeit on payment of costs. We consider it appropriate, under such circumstances, to condone the delay on imposition of costs of Rs.50,000/- (Rupees Fifty Thousand only), which the Appellant shall pay to the Central Transmission Utility of India Limited (CTUIL). Ms. Molshree Bhatnagar, Learned Counsel for the Appellant, seeks two weeks' time for the Appellant to pay the costs. She also undertakes to file proof of payment in the Registry within one week thereafter. Subject to compliance with the aforesaid directions, the delay is condoned.

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.

DFR No : 353 of 2025

Post the matter on ***18.12.2025***.

Ajay Talegaonkar Technical Member (Electricity)	Justice Ramesh Ranganathan Chairperson

sk/mkj