COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 412 of 2025 & IA No. 1553 OF 2025

Dated: 4th February, 2026

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

In the matter of:

M/s. SEPC Power Private Limited	....	Petitioner(s)
Versus		
Tamil Nadu Generation and Distribution Corp. Ltd. (Now as Tamil Nadu Power Distribution Corp. Ltd. & Anr.	....	Respondent(s)

Counsel on record for the Petitioner(s) : Poonam Verma Sengupta
Gayatri Aryan
Rajesh Jha
Palash Dilip Moolchandani
for App. 1

Counsel on record for the Respondent(s) : Anusha Nagarajan
for Res. 1

ORDER

IA NO. 1553 OF 2025
(For condonation of delay of 247 days in filing the review petition)

Ms. Anusha Nagarajan, Learned Counsel for the 1st Respondent, would contend that the justification furnished by the review petitioner for the delay of 247 days is based on the submission that the 1st Respondent has incorrectly understood the order under review; they also contend that it is only on receipt of a letter from the 1st Respondent that the delay has been reckoned; and these submissions are incorrect; and, therefore, the delay ought not to be condoned.

We have in several cases, including in appeals filed by the 1st Respondent herein earlier, been extremely liberal in condoning the delay in filing appeals/ review petition of up to one year, albeit on imposition of costs ranging from Rs.20,000/- to Rs.2,00,000/-. As the delay in the present case is of 247 days which is less than one year, we see no reason to non-suit the Appellant on the ground of delay, making it clear that the delay is being condoned not because we find justification in the explanation furnished for the delay, but because we have been condoning delays of up to one year on imposition of costs invariably in all the cases instituted before this Tribunal.

It is made clear that the order now passed by us shall not be understood as our having expressed any opinion on the justification furnished by the review petitioner which Ms. Anusha Nagarajan, Learned Counsel for the 1st Respondent, contends is incorrect. We are condoning the delay in filing the review petition as we have been condoning delay of up to one year on payment of costs.

Mr. Sanjay Sen, Learned Senior Counsel appearing on behalf of the review petitioner, states that the costs would be paid within one week from today, and proof of payment would be filed in the Registry within one week thereafter.

On condition that the review petitioner pays costs of Rs.1,00,000/- (Rupees One Lakh only) to the Central Transmission Utility of India Limited (CTUIL) within one week from today, and files proof of payment in the Registry within one week thereafter, the delay is condoned. Subject to compliance with the aforesaid directions, the application is disposed of.

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

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Since the order under review was passed by a Bench consisting of the Chairperson and Mrs. Seema Gupta, Technical Member (Electricity) and Order 47 Rule 5 CPC requires the very same Bench, which passed the original order, to hear the review petition, let the review petition be listed before the bench consisting of the Chairperson and Mrs. Seema Gupta, Technical Member (Electricity) on ***20.02.2026***.

Ajay Talegaonkar
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/mkj