

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 453 of 2025 & IA No. 1774 OF 2025 & IA No. 1775 OF 2025

Dated: 17th February, 2026

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

In the matter of:

Soumya Homes Private Limited Appellant(s)

Versus

Madhya Pradesh Madhya Kshetra Vidyut Vitran Co.
Limited & Anr. Respondent(s)

Counsel on record for the Appellant(s) : Anurag Bisaria for App. 1

Counsel on record for the Respondent(s) : Manoj Kumar Dubey
Amaan Ahmed Khan
Anubhav Dubey
Vivek Krishna Sharama for Res. 1

ORDER

IA NO. 1774 OF 2025

(For condonation of delay of 283 days in filing the appeal)

While the Registry records the delay in refiling the Appeal to be of 283 days, Mr. Anurag Bisaria, Learned Counsel for the Appellant, would fairly submit that the delay is, in fact, in filing the Appeal, and not in refiling it. Learned Counsel would, however, submit that a substantial part of the delay of 283 days was because the Appellant had availed its remedy of filing a review petition against the impugned order; and, if the period spent in prosecuting the review petition is excluded, then the delay would be of 116 days.

The impugned order was passed on 31.12.2024 aggrieved by which the Appellant filed a review petition on 03.03.2025. The said review petition was dismissed by the Commission on 16.06.2025 holding that the order passed by the Commission earlier did not suffer from an error apparent on the face of the record. Ordinarily, the period spent by the

Appellant in prosecuting the review petition is required to be excluded in computing the delay. If so excluded, the delay must be computed only from 16.06.2025 when the review petition was dismissed, and not prior thereto. The delay, if computed from 16.06.2025 till 24.11.2025 when the appeal was eventually instituted, is of 116 days.

The explanation furnished for this delay of 116 days is of administrative reasons which does not constitute “sufficient cause” for condonation. We are, however, of the view that the delay is not so inordinate as to non-suit the Appellant on the ground of delay, albeit on payment of costs which we quantify as Rs.50,000/-. We, therefore, direct that the delay of 116 days in filing the appeal be condoned on condition that the 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. Subject to compliance with the aforesaid directions, the delay is condoned.

The Appellant shall also intimate the CTUIL of the Appeal number and the date of the Order, in terms of which costs are being paid.

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Mr. Anubhav Dubey, Learned Counsel for the 1st Respondent, seeks four weeks’ time to file reply both in the main appeal and in the IA for interim relief. Mr. Anurag Bisaria, Learned Counsel for the Appellant, seeks three weeks’ time thereafter to file rejoinder. Time, as sought for, is granted.

List the IA on **08.04.2026**.

Ajay Talegaonkar
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson