

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 470 of 2025 & IA No. 1843 OF 2025 & IA No. 1844 OF 2025

Dated: 10th February, 2026

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

In the matter of:

Indian Wind Energy Association & Ors.		Appellant(s)
Versus		
Gujarat Electricity Regulatory Commission & Ors.		Respondent(s)

Counsel on record for the Appellant(s)	:	Poonam Verma Sengupta Saunak Kumar Rajguru Pradyumn Sharma Subham Bhut Sakshi Kapoor Palash Dilip Moolchandani Shreshth Chugh for App. 1
--	---	--

Counsel on record for the Respondent(s)	:	Suparna Srivastava for Res. 1 Anand K. Ganesan Swapna Seshadri Utkarsh Singh Rupinder Kaur Robin Singh for Res. 2
---	---	--

ORDER

IA-1843/2025
(For condonation of delay in filing the Appeal) (413 days)

The delay in filing the Appeal, as computed by the Registry, is of 413 days. Shri Amit Kapur, Learned Counsel for the Applicant-Appellant, would draw our attention to the order dated 03.07.2025 passed by this Tribunal in Appeal No. 6 of 2025 and batch, which included Appeal No. 38 of 2025. Appeal No. 38 of 2025 was filed by the Applicant-Appellant.

This Tribunal by its order dated 03.07.2025, while adjudicating one particular issue, gave liberty to the Appellant to file an appeal afresh on the other issues raised in these appeals. Consequently, the period prior to 03.07.2025 must be excluded in computing the delay in filing the present appeal.

Bearing in mind the submission of Mr. Amit Kapur, Learned Counsel for the Applicant-Appellant that the present appeal is confined only to those issues which were raised in Appeal No. 38 of 2025, with respect to which this Tribunal had granted liberty by its order dated 03.07.2025 to file an appeal afresh, the delay prior to 03.07.2025 shall be excluded in computing the delay in filing this appeal. If so excluded, then the delay in filing the present appeal is of 107 days. The explanation furnished for this delay of 107 days is that the Appellant was waiting for a final order to be passed by the Commission consequent on remand and this has resulted in the delay.

As noted hereinabove, the remand related to an issue which is not the subject matter of the present appeal and, consequently, the explanation furnished for this period of delay of 107 days does not constitute sufficient cause for its condonation. We are, however, of the view that the delay is not so inordinate as to non-suit the Applicant-Appellant, and that the delay can be condoned albeit on payment of costs, which we quantify as Rs.50,000/-. 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 two weeks from today, and files proof of payment in the Registry within one week thereafter. The delay in filing the present appeal is condoned.

Needless to state that, in case the aforesaid costs are not paid within two weeks from today and an affidavit of proof of payment is not filed in the Registry within one week thereafter, the application, for condonation of delay in filing the appeal, shall stand dismissed automatically, and the Appeal shall stand rejected. The IA is, accordingly, 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.

DFR No : 470 of 2025 & IA No. 1844 OF 2025

Reply shall be filed within six weeks and the rejoinder shall be filed within two weeks thereafter.

Post the IA for hearing on **06.04.2026.**

Ajay Talegaonkar
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

mk/mkj