

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 508 of 2025 & IA No. 1988 OF 2025 & IA No. 281 OF 2026

Dated: 6th March, 2026

Present : Hon`ble Ms. Seema Gupta, Officiating Chairperson
Hon`ble Mr. Virender Bhat, Judicial Member

In the matter of:

Patna Metro Rail Corporation Limited		Appellant(s)
Versus		
Bihar Electricity Regulatory Commission & Anr.		Respondent(s)

Counsel on record for the Appellant(s) : Tarun Johri
Ankur Gupta
for App. 1

Counsel on record for the Respondent(s) : Ravi Kishore for Res. 1
Anand Kumar Shrivastava
Shruti Kanodia
Shivam Sinha
Ishita Jain
Rishabh Dua
Nilesh Panda
Ravi Nair
Amrita Bakhshi
Ankit Bhandari
Chetan Saxena
Suryapraava Basu
Mudassir, Prateek Gupta
Ekshat Punwani
Kshitij Ujala, Mani Aneja
Janhavi Johar for Res. 2

ORDER

IA No.1988 OF 2025

(For condonation of delay in filing the Appeal)(99 and 04 days)

While the Registry records the delay to be of 99 in filing the appeal,
Learned Counsel for the Appellant, submits that, if the period spent in

prosecuting the Review Petition is excluded, then there is actually no delay. The order under appeal was passed on 08.08.2025, against which, the Appellant had preferred the Review Petition within the period of limitation. The said Review Petition was eventually dismissed on 11.11.2025, and a copy thereof was communicated to the Appellant on 17.11.2025. Within 45 days thereafter, the Appellant has filed the present appeal on 30.12.2025. Ordinarily, the period spent in prosecuting the Review Petition is required to be excluded in computing the delay in filing the appeal. If so excluded, there appears to be no delay. We see no reason, therefore, to non-suit the Appellant on this ground. This application is also not opposed by Learned Counsel for the Respondents. The delay as recorded by the Registry in filing the appeal is, accordingly, condoned. Delay of four days in refiling the appeal is condoned. The IA is disposed of.

IA No.281 OF 2026

(For condonation of delay in filing certified copy of the impugned order)(2days)

Learned Counsel for the Appellant, undertakes to file certified copy of the impugned order within two weeks. Recording his submission, the IA is closed.

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Reply shall be filed by the Respondents within six weeks and rejoinder, if any, shall be filed within four weeks' thereafter. After compliance with the aforesaid directions, and after verification by the Registry as to whether pleadings are complete, let this Appeal be included in the '**List of Finals**' to be taken up from there, in its turn.

Virender Bhat
Judicial Member

Seema Gupta
Officiating Chairperson

sk/mg