IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

COURT I

IA NO. 280 OF 2023 & IA NO. 1993 OF 2022 IN
DFR NO. 516 OF 2022 &
IA NO. 1994 OF 2022

Dated: 28.03.2023

Present: Hon'ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon'ble Mr. Sandesh Kumar Sharma, Technical Member

In the matter of:

Adani Electricity Mumbai Limited- Distribution .... Appellant(s)

Versus

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

Counsel for the Appellant(s) : Mr. Hemant Singh
Mr. Lakshyajit Singh Bagdwal
Ms. Sinduja Rastogi

Counsel for the Respondent(s) : Mr. Shri Venkatesh
Mr. Ashutosh Srivastava
Mr. Shivam Kumar

ORDER

IA NO. 1993 OF 2022

(Application for condonation of delay in filing the Appeal)

The only explanation for the delay of 70 days in preferring the appeal is that it is highly technical. Section 111 of the Electricity Act does not justify condonation of delay on this ground, for every appeal is required to be filed within 45 days of the order under appeal being passed. However, we do not wish to deny the Appellant an opportunity of having the appeal heard on merits. We consider it appropriate, in such circumstances, to condone the delay on imposition of costs of Rs.25,000/- (Rupees Twenty Five Thousand only), which the Appellant shall pay to the first Respondent-Commission within two weeks from today, and files proof of payment in the Registry within one week thereafter. The delay is

condoned, and the application is disposed of, subject to compliance with the aforesaid directions.

The application is disposed of.

IA NO. 280 OF 2023

(Application for condonation of delay in refiling the Appeal)

Since costs of Rs.25,000/- has already been imposed on the Appellant for failure to prefer the appeal within the stipulated time, we do not wish to mult the Appellant again with costs for the delay of 60 days in refiling the Appeal. The delay is condoned, and the application is, accordingly, disposed of.

IA NO. 1994 OF 2022

(Application for exemption from filing certified copy of the impugned order)

Mr. Lakshyajit Singh Bagdwal, learned Counsel for the Appellant, undertakes to file a certified copy of the order under appeal within two weeks. Recording the submission of the learned Counsel, the IA is closed.

DFR NO. 516 OF 2022

List the matter on ***24.04.2023***.

(Sandesh Kumar Sharma)
Technical Member

(Justice Ramesh Ranganathan)
Chairperson

tpd/ks/mkj