

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 64 of 2025 & IA No. 272 OF 2025

Dated: 28th April, 2025

Present: Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Ms. Seema Gupta, Technical Member (Electricity)

In the matter of:

Himachal Pradesh Power Corporation Limited Appellant(s)

Versus

Himachal Pradesh Electricity Regulatory Commission & Respondent(s)
Anr.

Counsel on record for the Appellant(s) : Vishrov Mukerjee
Yashaswi Kant
Girik Bhalla
Pratyush Singh
Damodar Solanki
Priyanka Vyas
Raghav Malhotra
Anamika Rana
Juhi Senguttuvan
Shreya Sundaraman
for App. 1

Counsel on record for the Respondent(s) : Anand K. Ganesan
Swapna Seshadri
Amal Nair
Shivani Verma
Devyani Prasad
for Res. 2

ORDER

IA NO. 272 OF 2025

(For condonation of delay of 202 & 35 days in filing the Appeal)

The delay in filing this appeal, as computed by the Registry, as 202 and 35 days. The original order under appeal was passed on 05.06.2024, aggrieved by which the Appellant herein filed the review petition within

time on 03.07.2024. The said review petition was eventually dismissed by the Commission on 09.11.2024, and the present appeal came to be filed on 07.02.2025.

Ordinarily, the period spent in prosecuting the review petition is required to be excluded in computing the period of delay in preferring the appeal. If so excluded, then, the delay is of 35 days and not 202 days. While the explanation furnished for this delay of 35 days is that the Appellant had to collate data as the order under challenge is a tariff order, this explanation does not constitute sufficient cause for condonation of the delay. We are, however, satisfied that the delay of 35 days, on its being computed from the date on which the review petition is dismissed, is not so inordinate as to non-suit the Appellant on this score. Further, Mr. Anand K. Ganesan, Learned Counsel for the 2nd Respondent, fairly expresses no objection for the delay to be condoned. The delay is condoned, and the application is disposed of

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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 pleadings are complete, and after verification by the Registry, let this Appeal be included in the '**List of Finals**', to be taken up from there, in its turn.

Seema Gupta
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/sk