

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 82 of 2025 & IA No. 336 OF 2025 & IA No. 458 OF 2025

Dated: 4th August, 2025

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

In the matter of:

Andhra Pradesh Power Generation Corporation Limited Appellant(s)

Versus

Andhra Pradesh Electricity Regulatory Commission & Ors. Respondent(s)

Counsel on record for the Appellant(s) : S. Vallinayagam
for App. 1

Counsel on record for the Respondent(s) : Gaichangpou Gangmei
Arjun D Singh
Ankita Sharma
Yashvir Kumar
Yimyanger Longkumer
Maitreya Mahaley
for Res. 1

Yelamanchili Shiva Santosh Kumar
Rudrajit Ghosh
Khyati Chhabra
Maria Jerome J
for Res. 2

Yelamanchili Shiva Santosh Kumar
Rudrajit Ghosh
Khyati Chhabra
Maria Jerome J
for Res. 3

ORDER

IA-336/2025

(For condonation of delay in filing the Appeal) (1536 and 201 days)

While the delay as computed by the Registry is of 1536 days, the said delay is computed from the date of the original order passed by the APERC. The fact, however, remains that the Appellant herein had invoked the review jurisdiction of the APERC within time, and the review petition was eventually dismissed by order dated 18.06.2024. The delay, if computed from the date on which the review petition was dismissed is of 201 days. Ordinarily the period spent by the Appellant in prosecuting the review petition is required to be excluded in computing the delay. If so excluded then the delay from the date on which the review order was passed is of 201 days. The explanation furnished for the delay of 201 days is that the delay was occasioned because of time taken in drafting the appeal which, in our view, does not constitute “sufficient cause” for condonation of delay.

As the delay, in filing the appeal in the present case, is of 201 days, we deem it appropriate to condone the delay on condition that the Applicant-Appellant pays costs of Rs.1,00,000/- (Rupees One Lakh 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.

Needless to state that, in case the aforesaid costs are not paid within four weeks from today and an affidavit of proof of payment is not filed in the Registry within two weeks 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-82/2025

Six weeks' time is granted to file reply and four weeks' time is granted to file rejoinder thereafter.

IA-458/2025
(For impleadment/ intervention)

This application is filed as a consequence of the erstwhile two distribution companies being divided into three companies. The third distribution company is now sought to be impleaded as a Respondent in this Appeal. Issue notice to the proposed Respondent returnable on 02.09.2025. Dasti notice is permitted. The said notice shall bear the next date of hearing.

Post the IA for impleadment on **02.09.2025.**

(Seema Gupta)
Technical Member (Electricity)

(Justice Ramesh Ranganathan)
Chairperson

mk/dk