

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

DFR No : 98 of 2025 & IA No. 394 OF 2025 & IA No. 395 OF 2025

Dated: 20th May, 2025

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

In the matter of:

Sarda Metals and Alloys Limited Appellant(s)

Versus

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

Counsel on record for the Appellant(s) : Poonam Verma Sengupta
Saunak Kumar Rajguru
Pradyumn Sharma
for App. 1

Counsel on record for the Respondent(s) : GaichangpouGangmei
Arjun D Singh
Ankita Sharma
Yashvir Kumar
YimyangerLongkumer
MaitreyaMahaley
for Res. 1

Udit Gupta
Anup Jain
Vyom Chaturvedi
Nishtha Goel
Pragya Gupta
Sneha Singh
Deepshikha Kumar
for Res. 2

ORDER

IA NO. 394 OF 2025

(For condonation of delay of 177 days in filing the Appeal)

The delay of 177 days in filing this appeal, as computed by the Registry, is sought to be justified on the ground of administrative

reasons. We are of the view that this explanation does not constitute “sufficient cause” in terms of the proviso to Section 111(2) of the Electricity Act. However, the delay is not so inordinate as to necessitate denying the Appellant an opportunity of having their Appeal heard on merits. In our view, the delay should be condoned, albeit on imposition of costs.

On condition that the Appellant pays costs of Rs.75,000/- (Rupees Seventy Five Thousand 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, the delay is condoned.

Needless to state that, in case the aforesaid costs are not paid within the stipulated time and an affidavit of proof of payment is not filed in the Registry within two weeks thereafter, the application for condonation of delay in preferring the appeal, shall stand dismissed automatically, and the Appeal shall stand rejected. The application is 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.

IA NO. 395 OF 2025
(For extension of time)

Mr. Saunak Kumar Rajguru, Learned Counsel for the Appellant, seeks four more weeks’ time to file a certified copy of the impugned order. Time, as sought for, is granted. The application is disposed.

DFR NO. 98 OF 2025

Learned Counsel, on both sides, agree that the issue involved in this appeal is short, and the Appeal be included in the ‘List of Short Matters’.

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 Short Matters**' to be taken up from there, in its turn.

Seema Gupta
Technical Member (Electricity)

Justice Ramesh Ranganathan
Chairperson

tpd/dk