

**COURT-II**  
**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY**  
**(Appellate Jurisdiction)**

**IA NO. 514 OF 2018 IN**  
**DFR NO. 1371 OF 2018**

**Dated: 12<sup>th</sup> July, 2018**

**Present: Hon'ble Mr. Justice N. K. Patil, Judicial Member**  
**Hon'ble Mr. S. D. Dubey, Technical Member**

**In the matter of:**

**Clean Wind Power (Manvi) Private Limited** .... **Appellant(s)**  
**Versus**  
**Karnataka Electricity Regulatory Commission & Ors.** .... **Respondent(s)**

Counsel for the Appellant(s) : Mr. Sanjay Sen, Sr. Adv.  
Mr. Parinay Deep Shah  
Ms. Ritika Singhal

Counsel for the Respondent(s) : Ms. Parichita Chowdhury  
Mr. Ashwin Ramanathan for  
Mr. Anand K. Ganesan for R-1  
  
Mr. Sriranga S.  
Ms. Sumana Naganand  
Ms. Pratiksha Mishra  
Mr. Mayank Krshirsagar  
Mr. Balaji Srinivasan for R-2,4 & 6

**ORDER**  
**IA NO. 514 OF 2018**  
***(Delay in filing)***

We have heard learned senior counsel, Mr. Sanjay Sen, appearing for the Appellant and learned counsel, Ms. Parichita Chowdhury, appearing for the Respondent Nos.1 and learned counsel, Mr. Sriranga S., appearing for Respondent Nos.2, 4 & 6.

2. The learned counsel appearing for the Appellant submitted that, the delay of 52 days in filing the Appeal has been explained satisfactorily and sufficient cause has been shown in the application. The same may kindly

be accepted and delay in filing may kindly be condoned in the interest of justice and equity.

3. ***Per contra***, learned counsel appearing for the Respondents, at the outset, submitted that appropriate order may be passed.

4. Submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the Respondents, as stated above, are placed on record.

5. In the light of the submission made by the learned counsel appearing for the Appellant and after careful perusal in the application explaining the delay in filing the appeal, it emerge that delay in filing has been explained satisfactorily as sufficient cause has been made out. The same is accepted and the delay in filing the appeal is condoned. The IA is allowed.

**DFR NO. 1371 OF 2018**

Registry is directed to number the appeal and list the matter for admission.

The Learned Counsel, Mr. Sriranga S., appearing for Respondent Nos.2,4 & 6 prays for one weeks' time to file reply and learned senior counsel appearing for the Appellants prays for one week to file rejoinder.

Submissions made by the learned counsel appearing for the Appellant and learned counsel appearing for the Respondents, as stated above, are placed on record.

Learned counsel appearing for the Respondent Nos.2, 4 & 6 is permitted to file the reply on or before 20.07.2018 after duly serving copy on

the other side. Thereafter, rejoinder, if any, may be filed on or before 27.07.2018 after duly serving copy on the other side.

List the matter on **02.08.2018**, *as requested*. The interim order will continue till 05.08.2018.

**(S. D. Dubey)**  
**Technical Member**  
*Bn/pr*

**(Justice N. K. Patil)**  
**Judicial Member**