

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

**IA NO. 1338 OF 2018 IN**  
**DFR NO. 2789 OF 2018**

**Dated: 14<sup>th</sup> November, 2018**

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

**In the matter of:**

**Paschim Gujarat Vij Company Ltd.**

**.... Appellant(s)**

**Versus**

**Investment & Precision Casting Ltd. & Anr.**

**.... Respondent(s)**

Counsel for the Appellant(s) : Mr. M.G. Ramachandran  
Ms. Ranjitha Ramachandran

Counsel for the Respondent(s) : Ms. Sakie Jakharia for R-1

**ORDER**

**IA NO. 1338 of 2018**

**(For Condonation of Delay in Filing the Appeal)**

We have heard the learned counsel appearing for the Appellant and the learned counsel appearing for the second Respondent.

The learned counsel, Mr. M.G. Ramachandran appearing for the Appellant submitted that, the delay in filing the appeal has been explained satisfactorily and sufficient cause has been shown in the application and detailed dates and events about processing the file has been explained satisfactorily in the additional affidavit filed by the Appellant. The delay is bonafide in nature and not intentional or deliberate on the part of the Appellant. Therefore, reasoning assigned in the application and the additional affidavit may kindly be accepted. The appellant has a good case on merits. Therefore, the delay in filing the appeal may kindly be condoned in the interest of justice and equity.

The learned counsel appearing for the first Respondent submitted that, they do not propose to file reply to the instant application filed by the Appellant for

condonation of delay in filing the appeal. Further, she submitted that, submissions made by the learned counsel appearing for the Appellant may kindly be taken on record.

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

In the light of the submissions made by the learned counsel appearing for the Appellant and after perusal of the reasoning given in the application explaining the delay in filing the Appeal, the Appellant has explained the delay in filing the appeal satisfactorily in the application and sufficient cases has been shown therein. The same was accepted and the delay in filing the Appeal is condoned. IA is allowed.

**DFR NO. 2789 OF 2018**

Registry is directed to number the appeal and list the matter for admission on **22.11.2018**, as requested.

**(S.D. Dubey)**  
**Technical Member**  
vt/pk

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